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Office of Elementary and Secondary Education
Office of Rural, Insular, and Native Achievement Programs
Washington, D.C. 20202-6200**

Fiscal Year 2020

**Application for New Grants Under
the Native Hawaiian Education Program**

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If you have comments or concerns regarding the status of your individual submission of this application, please contact:

Joanne Osborne
Native Hawaiian Education Program
U.S. Department of Education
400 Maryland Avenue SW, Room 3E306
Washington, DC 20202-6200
[Note: Please do not return the completed application to this address.]

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United States Department of Education
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF RURAL, INSULAR AND NATIVE ACHIEVEMENT PROGRAMS

Dear Colleague:

Thank you for your interest in the Native Hawaiian Education (NHE) program, administered by the Office of Elementary and Secondary Education of the U.S. Department of Education (Department). This document includes information for applicants seeking funding for new grant projects in Fiscal Year 2020 under the NHE program, authorized under Title VI, Part C of the Elementary and Secondary Act of 1965, as amended by the Every Student Succeeds Act of 2015. The purpose of the NHE program is to support innovative projects that meet the unique educational needs of Native Hawaiians.

Please take the time to review the applicable priorities, selection criteria, and all the application instructions thoroughly. An application will not be evaluated for funding if the applicant does not comply with all the procedural rules that govern the submission of the application or the application does not contain the information required under the program (EDGAR §75.216 (b) and (c)).

For this competition it is **mandatory** for applicants to use the government-wide website, Grants.gov (<http://www.grants.gov>), to apply. Please note that the Grants.gov site works differently than the U.S. Department of Education's e-Application System. We strongly encourage you to familiarize yourself with Grants.gov and strongly recommend that you register *and* submit early.

Applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms. Therefore, applicants will need to download a compatible version of Adobe reader. Please review the **Submitting Applications with Adobe Reader Software and Education Submission Procedures and Tips for Applicants** forms found within this package for further information and guidance related to this requirement.

Using FY 2020 funds, the Department expects to award approximately \$26,000,000 for new grants under this competition. We will award discretionary grants on a competitive basis for a project period of up to 36 months. Grants are expected to be awarded in September 2020.

Please visit our program website at <https://www2.ed.gov/programs/nathawaiian/index.html> for further information. If you have any questions about the program after reviewing the application package, please contact Joanne Osborne by telephone at (202) 401-1265 or via e-mail at HAWAIIAN@ed.gov.

Sincerely,

Pat Johnson
Group Leader

I. Program Background Information

Program Overview

The purpose of the Native Hawaiian Education (NHE) program is to support innovative projects that meet the unique educational needs of Native Hawaiians. These projects may include activities authorized under section 6205(a)(3) of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA). Priority shall be given to entities proposing projects that are designed to address the needs listed under section 6205(a)(2) of ESEA.

Application Requirements

Listed below are the application requirements for this grant competition. These application requirements are for the FY 2020 grant competition and any subsequent year in which awards are made from the list of unfunded applications from this competition.

Each applicant must describe its response to the following requirements:

- (1) Each applicant for a grant under this program must submit the application for comment to the local educational agency serving students who will participate in the program to be carried out under the grant, and include those comments, if any, with the application to the Secretary. (Sec. 6206(b) of ESEA)
- (2) Eligible applicants must explain how the project is designed to address one or more of the following:
 - (a) Beginning reading and literacy among students in kindergarten through third grade.
 - (b) The needs of at-risk children and youth.
 - (c) Needs in fields or disciplines in which Native Hawaiians are underemployed.
 - (d) The use of the Hawaiian language in instruction.

Absolute and Competitive Preference Priorities

This notice contains one absolute priority and two competitive preference priorities. Consistent with 34 CFR 75.105(b)(2)(v), the absolute priority is from section 6205(a)(2) of the ESEA. In accordance with 34 CFR 75.105(b)(2)(ii), the two competitive preference priorities are from the Supplemental Priorities.

Absolute Priorities

For FY 2020 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority. An applicant may address one or more parts of the absolute priority. An applicant must clearly identify in its application which part or parts of the absolute priority its project will address.

Absolute Priority 1: Eligible applicants must propose a project that is designed to address one or more of the following:

- (a) Beginning reading and literacy among students in kindergarten through third grade.
- (b) The needs of at-risk children and youth.
- (c) Needs in fields or disciplines in which Native Hawaiians are underemployed.
- (d) The use of the Hawaiian language in instruction.

Competitive Preference Priorities

For FY 2020 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i), we award up to an additional five points to an application, depending on how well the application meets Competitive Preference Priority 1, and up to an additional five points to an application depending on how well the application meets Competitive Preference Priority 2.

We will award a maximum of 10 points to an application that addresses both competitive preference priorities.

Competitive Preference Priority 1: Promoting Science, Technology, Engineering, or Math (STEM) Education, with a Particular Focus on Computer Science (up to five points).

Projects designed to improve student achievement or other educational outcomes in one or more of the following areas: Science, technology, engineering, math, or computer science (as defined in this notice). These projects must address the following priority area: increasing access to STEM coursework, including computer science (as defined in this notice), and hands-on learning opportunities, such as through expanded course offerings, dual-enrollment, high-quality online coursework, or other innovative delivery mechanisms.

Competitive Preference Priority 2: Fostering Flexible and Affordable Paths to Obtaining Knowledge and Skills (up to five points).

Projects that are designed to address providing work-based learning experiences (such as internships, apprenticeships, and fellowships) that align with in-demand industry sectors or occupations (as defined in section 3(23) of WIOA).

Frequently Asked Questions

Question 1: What costs may be included under the five-percent limit on administrative costs (ESEA sec. 6205(b))?

Due to the limitation in ESEA section 6205(b), NHE budgets cannot include administrative costs that exceed five percent of the total costs of the grant. This five-percent limit includes both direct and indirect administrative costs. For all NHE grantees except certain IHEs and non-profit organizations (see question 3 for information for these two types of grantees), all indirect costs are considered administrative costs, and must be included within this five-percent limit. Grantees must ensure that any indirect costs charged to the grant do not total more than five

percent of the total grant. This means that many grantees may not be able to charge their full indirect cost rate against costs in their grant.

In your budget narrative, you must describe the costs and parts of the budget lines that you include in the calculation of the administrative costs and provide enough explanation to justify that you have not exceeded the administrative cost limit.

Question 2: What costs are not considered administrative costs subject to the five-percent limit in ESEA section 6205(b)?

Administrative costs are costs that are related to the general administration of the organization and not directly related to implementing the program. Certain costs, such as travel, the project director salary, and evaluation, may not necessarily all be administrative, but may be a direct program cost, or partly direct program cost and partly administrative. For example, if your project director is directly managing and supervising your project, their salary may be considered a direct cost that is not subject to the five-percent cap under ESEA section 6205(b). Furthermore, travel to project sites to oversee and provide technical assistance implementing the program may be considered a direct program cost.

Question 3: Are there different requirements for grantees with an indirect cost rate that separately breaks out “facilities” and “administration” costs?

A small number of NHEP grantees (“major nonprofit organizations” (those that receive more than \$10 million in direct Federal funding in a fiscal year) and “major IHEs” (those whose total direct cost of work exceeds \$10 million in a fiscal year)) may have an indirect cost rate that breaks out “facilities” and “administrative” costs separately. For those grantees, the “administrative” portion of those costs must be included within the five-percent administrative cost cap. But the “facilities” portion of those indirect costs are not subject to the five-percent administrative cost cap. Please see [OMB Uniform Guidance July 2017 FAQs](#) for more information.

Question 4: How will the new Government Performance and Results Act (GPRA) measure be implemented?

Under the Government Performance and Results Act (GPRA), a new performance measure has been established to assess the overall effectiveness of the Native Hawaiian Education program. It states: “(1) The number of grantees that attain or exceed the targets for the outcome indicators for their projects that have been approved by the Secretary.”

The purpose of this GPRA measure is to report on how many projects successfully carry out the goals and objectives identified in their applications. The new GPRA measure asks projects to identify program specific indicators and related metrics that assess how well the funded projects meet the specific indicators. The GPRA measure will report on how many projects successfully meet their project specific indicators. Applicants are encouraged to consider this GPRA measure requirement as they develop their project evaluation model.

Post award, successful applicants will work with the Department staff to identify and refine their project specific indicators and metrics, which will be then be approved by the Department in order to fulfill this GPRA measure.

Question 5: What is necessary to meet the absolute priority requirement?

The statute identifies four priority areas for projects funded by NHEP. These are beginning reading and literacy among students in kindergarten through third grade, the needs of at-risk children and youth, needs in fields or disciplines in which Native Hawaiians are underemployed, and the use of the Hawaiian language in instruction. Projects must focus on at least one of these foci; they are not required to focus on all four priorities. There is no advantage to focusing on more than one. Applicants are asked to describe how the absolute priority is being met in their application's abstract. Projects that do not one of these priorities will not be funded.

Question 6: How can an applicant maximize additional points through addressing competitive preference priorities?

There are two competitive preference priorities listed for this competition. Applicants can receive up to an additional five points for addressing a competitive preference priority for each of the competitive priorities. Peer reviewers will provide an assessment of how many of the additional points an applicant will receive for addressing a competitive priority based on the quality of services proposed to meet the priority. Applicants can receive up to ten points if they address both competitive preference priorities.

Question 7: Will application reviewers be provided with a scoring guide?

Yes. Application reviewers will be provided with the following scoring rubric:

Maximum Score: 5 Points

0	Factor is not addressed.
1	Factor is poorly developed (major weaknesses).
2-3	Factor is adequately developed (some weaknesses).
4	Factor is strongly developed (minor weaknesses).
5	Factor is fully developed with no weaknesses.

Maximum Score: 10 Points

0	Factor is not addressed.
1-3	Factor is poorly developed (major weaknesses).
4-6	Factor is adequately developed (some weaknesses).
7-9	Factor is strongly developed (minor weaknesses).
10	Factor is fully developed with no weaknesses.

Maximum Score: 15 Points

0	Factor is not addressed.
1-5	Factor is poorly developed (major weaknesses).
6-10	Factor is adequately developed (some weaknesses).
11-14	Factor is strongly developed (minor weaknesses).
15	Factor is fully developed with no weaknesses.

Applicant Guide

The intent of this section of the application package is to provide the selection criteria, application requirements, eligibility, definitions, and help applicants understand how each criterion and the requirements will be applied during the review process.

The program supports effective supplemental education programs that meet the unique needs of Native Hawaiians. Permissible activities include, but are not limited to, ones that address beginning reading and literacy among early childhood students, the needs of at-risk youth, fields or disciplines in which Native Hawaiians are underemployed, and the use of the Hawaiian language in instruction.

The following entities are permitted to apply for this competition: (a) Native Hawaiian educational organizations; (b) Native Hawaiian community-based organizations; (c) public and private nonprofit organizations, agencies, and institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language; (d) charter schools; (e) consortia of the organizations, agencies, or institutions described in (a) – (c).

The program narrative is the section of the application that directly responds to the selection criteria. The program narrative should follow the order of the selection criteria listed below, and in the notice inviting applications (NIA), which is included in this application package. Applicants should describe, in detail, activities planned for each of the funded years of the grant (up to three years). The program office suggests that applicants limit the program narrative to 30 pages. All applications must be entered into the Grants.gov system. E-mailed applications are not acceptable. Narrative attachments must be submitted as files in a read-only, flattened Portable Document Format (PDF). If applicants upload a file type other than a read-only, flattened PDF (e.g., Word, Excel, WordPerfect, etc.) or submit a password-protected file, we will not review that material.

A minimum of three peer reviewers will evaluate each proposal. Reviewers will be asked to review the applicants' responses to each of the criteria identified below and score each of their assigned proposals. The points for the selection criteria add up to a score of 120. The maximum score for each criterion is indicated in parentheses. Not responding to a specific criterion could negatively affect your score.

Selection Criteria

The selection criteria for this competition are from 34 CFR 75.210 and section 6304(a)(2)(A) of the ESEA. The maximum score for all the selection criteria is 120 points. The maximum

possible score for addressing each selection criterion is indicated in parentheses. Each criterion also includes the factors that reviewers will consider in determining the extent to which an applicant meets the criterion. The selection criteria for this competition are as follows:

- (a) Need for project (up to 20 points)
 - (1) The Secretary considers the need for the proposed project.
 - (2) In determining the need for the proposed project, the Secretary considers the following factors:
 - (i) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project (up to 10 points).
 - (ii) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses (up to 10 points).
- (b) Quality of the project design (up to 20 points)
 - (1) The Secretary considers the quality of the design of the proposed project.
 - (2) In determining the quality of the design of the proposed project, the Secretary considers the following factors:
 - (i) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs (up to 10 points).
 - (ii) The extent to which the proposed project demonstrates a rationale (as defined in this notice) (up to 10 points).
- (c) Quality of project services (up to 30 points)
 - (1) The Secretary considers the quality of the services to be provided by the proposed project.
 - (2) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability (up to 10 points).
 - (3) In addition, the Secretary considers the following factors:
 - (i) The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research and effective practice (up to 10 points).
 - (ii) The likely impact of the services to be provided by the proposed project on the intended recipients of those services (up to 10 points).
- (d) Quality of project personnel (up to 10 points)
 - (1) The Secretary considers the quality of the personnel who will carry out the proposed project.
 - (2) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have been traditionally underrepresented based on race, color, national origin, gender, age, or disability (up to 5 points).
 - (3) In addition, the Secretary considers the qualifications, including relevant training and experience, of key project personnel (up to 5 points).
- (e) Quality of the management plan (up to 30 points)
 - (1) The Secretary considers the quality of the management plan for the proposed project.

- (2) In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:
 - (i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (up to 15 points).
 - (ii) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project (up to 15 points).
- (f) Quality of the project evaluation (up to 10 points)
 - (1) The Secretary considers the quality of the evaluation to be conducted of the proposed project.
 - (2) In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation will provide valid and reliable performance data on relevant outcomes.

Note: The selection criterion for project evaluation relates to performance measure (1) under the Performance Measures section of the Notice Inviting Applications.

Program Authority: Title VI, part B of the ESEA (20 U.S.C 6201-620).

Definitions

The definitions below are from 34 CFR 77.1(c); sections 4310(2), 6207, and 8101 of the ESEA; the Supplemental Priorities; and section 3(23) of the Workforce Innovation and Opportunity Act of 2014. These definitions apply to the FY 2020 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition.

Charter school means a public school that—

- (a) In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this definition;
- (b) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
- (c) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;
- (d) Provides a program of elementary or secondary education, or both;
- (e) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
- (f) Does not charge tuition;
- (g) Complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the “Family Educational Rights and Privacy Act of 1974”), and part B of the Individuals with Disabilities Education Act;
- (h) Is a school to which parents choose to send their children, and that (1) admits students on the basis of a lottery, consistent with section 4303(c)(3)(A) of the ESEA, if more students apply for admission than can be accommodated; or (2) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls

students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);

(i) Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;

(j) Meets all applicable Federal, State, and local health and safety requirements;

(k) Operates in accordance with State law;

(l) Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and

(m) May serve students in early childhood education programs or postsecondary students. (Section 4310(2) of the ESEA)

Computer science means the study of computers and algorithmic processes and includes the study of computing principle and theories, computational thinking, computer hardware, software design, coding, analytics, and computer applications. Computer science often includes computer programming or coding as a tool to create software, including applications, games, websites, and tools to manage or manipulate data; or development and management of computer hardware and the other electronics related to sharing, securing, and using digital information. In addition to coding, the expanding field of computer science emphasizes computational thinking and interdisciplinary problem-solving to equip students with the skills and abilities necessary to apply computation in our digital world. Computer science does not include using the computer for everyday activities, such as browsing the internet; use of tools like word processing, spreadsheets, or presentation software; or using computers in the study and exploration of unrelated subjects. (Supplemental Priorities)

Demonstrates a rationale means a key project component included in the project's logic model is informed by research or evaluation findings that suggest the project component is likely to improve relevant outcomes. (34 CFR 77.1(c))

Dual or concurrent enrollment program means a program offered by a partnership between at least one institution of higher education and at least one local educational agency through which a secondary school student who has not graduated from high school with a regular high school diploma is able to enroll in one or more postsecondary courses and earn postsecondary credit that- (a) is transferable to the institutions of higher education in the partnership; and (b) applies toward completion of a degree or recognized educational credential as described in the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.). (Section 8101(15) of the ESEA)

In-Demand industry sector or occupation means an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of such

industry sectors; or an occupation that currently has, or is projected to have, a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate. The determination of whether an industry sector or occupation is in-demand under this definition shall be made by the State board or local board, as appropriate, using State or regional business and labor market projections, including the use of labor market information. (Section 3(23) of WIOA)

Logic model (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (i.e., the active “ingredients” that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes. (34 CFR 77.1(c))

Native Hawaiian means any individual who is—

- (a) A citizen of the United States; and
- (b) A descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii, as evidenced by—
 - (1) Genealogical records;
 - (2) Kupuna (elders) or Kama’aina (long-term community residents) verification; or
 - (3) Certified birth records. (Section 6207(2) of the ESEA)

Native Hawaiian community-based organization means any organization that is composed primarily of Native Hawaiians from a specific community and that assists in the social, cultural, and educational development of Native Hawaiians in that community. (Section 6207(3) of the ESEA)

Native Hawaiian educational organization means a private nonprofit organization that—

- (a) Serves the interests of Native Hawaiians;
- (b) Has Native Hawaiians in substantive and policymaking positions within the organization;
- (c) Incorporates Native Hawaiian perspective, values, language, culture, and traditions into the core function of the organization;
- (d) Has demonstrated expertise in the education of Native Hawaiian youth; and
- (e) Has demonstrated expertise in research and program development. (Section 6207(4) of the ESEA)

Native Hawaiian language means the single Native American language indigenous to the original inhabitants of the State of Hawaii. (Section 6207(5) of the ESEA)

Native Hawaiian organization means a private nonprofit organization that—

- (a) Serves the interests of Native Hawaiians;
- (b) Has Native Hawaiians in substantive and policymaking positions within the organization; and
- (c) Is recognized by the Governor of Hawaii for the purpose of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians. (Section 6207(6) of the ESEA)

Project component means an activity, strategy, intervention, process, product, practice, or policy included in a project. Evidence may pertain to an individual project component or to a combination of project components (e.g., training teachers on instructional practices for English learners and follow-on coaching for these teachers). (34 CFR 77.1(c))

Regular high school diploma (a) means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in ESEA section 1111(b)(1)(E); and (b) does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential. (Section 8101(43) of the ESEA)

Relevant outcome means the student outcome(s) or other outcome(s) the key project component is designed to improve, consistent with the specific goals of the program. (34 CFR 77.1(c))

Technical Assistance Workshops for Prospective Applicants

Two technical assistance webinars for prospective applicants are scheduled. The content of the webinars will be repeated, so applicants only need to attend one, if interested. The dates and times for the webinars are:

- Wednesday, January 8, 2020. 8:30am-10:00am HST.
Event address for attendees to join webinar:
<https://doed.webex.com/doed/j.php?MTID=m7f905549ce279de1eba4708d5bae7418>
- Wednesday, January 15, 2020. 8:30am-10:00am HST.
Event address for attendees to join webinar:
<https://doed.webex.com/doed/j.php?MTID=m15b2fbf7d5dd5e3357bb5dfd4686a45f>

One in-person technical assistance workshop for prospective applicants is scheduled in the state of Hawaii. The date, time, and location for this workshop is scheduled for:

- Thursday, January 23, 2020. 10:00am-12:00pm HST.

Entrepreneurs Sandbox
643 Ilalo Street
Honolulu, HI 96813

II. Application Submission Procedures

The deadline for submission of Native Hawaiian Education Program applications through Grants.gov is February 11, 2020.

Application Transmittal Instructions

Attention Electronic Applicants: This program **requires** the electronic submission of applications--specific requirements and instructions can be found in the Federal Register notice. Please note that you **must** follow the Application Procedures as described in the Federal Register notice announcing the grant competition.

We will reject your application if you submit it in paper format unless, as described in the Federal Register notice for this competition, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions.

Applications Submitted Electronically

Applications for grants under this program must be submitted electronically using the Governmentwide Grants.gov Apply site at <http://www.Grants.gov>. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may **not** e-mail an electronic copy of a grant application to us.

Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system **no later than 11:59:59 p.m., Eastern Time, on the application deadline date**. Except as otherwise noted in Federal Register notice for this competition, we will not consider your application if it is date and time stamped by the Grants.gov system later than 11:59:59 p.m., Eastern Time, on the application deadline date.

You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in this application package to ensure that you submit your application in a timely manner to the Grants.gov system.

On December 31, 2017, *Grants.gov* retired the Legacy PDF format for submitting grant applications. A *Grants.gov* applicant must apply online using Workspace, a shared environment where members of a grant team may simultaneously access and edit different web forms within an application. An applicant can create an individual Workspace for each application notice and establish for that application a collaborative application package that allows more than one person in the applicant's organization to work concurrently on an application. The *Grants.gov* system also enables the applicant to reuse forms from previous submissions, check them in and out to complete them, and submit the application package. For access to further instructions on how to apply using *Grants.gov*, refer to: www.grants.gov/web/grants/applicants/apply-for-grants.html

You may access the electronic grant applications at www.Grants.gov. You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.362 not 84.362A).

Please note the following:

- You must attach any narrative sections of your application as files in either **.pdf** (Portable Document Format) or Microsoft Word. Although applicants have the option of uploading any narrative sections and all other attachments to their application in either PDF or Microsoft Word, we recommend applicants submit all documents as read-only flattened PDFs, meaning any fillable PDF files must be saved and submitted as non-fillable PDF files and not as interactive or fillable PDF files, to better ensure applications are processed in a more timely, accurate, and efficient manner. If you choose to submit your application in Microsoft Word, you may do so using any version of Microsoft Word (*i.e.*, a document ending in a .doc or .docx extension).
- Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission.
- When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters. The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.
- If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

According to the instructions found in the Federal Register notice, only those requesting and qualifying for an Exception to the electronic submission requirement may submit an application via mail, commercial carrier, or by hand delivery.

Submission of Paper Applications by Mail:

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.362A)
LBJ Basement Level 1
400 Maryland Avenue, SW.
Washington, DC 20202-4260

You must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark.
- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

Note for Mail Delivery of Paper Applications:

If you mail your application to the Department--

- (1) You must indicate on the envelope and in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and
- (2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

Submitting Applications with Adobe Reader Software

The Department of Education, working with Grants.gov, is currently using Adobe Reader software exclusively and applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms.

Please note: The compatible version of Adobe Reader is **required** for viewing, editing and submitting PDF forms through Grants.gov. Applicants should confirm the compatibility of their Adobe Reader version **before** downloading the application. To ensure applicants have a version of Adobe Reader on their computer that is compatible with Grants.gov, applicants are encouraged to use the test package provided by Grants.gov that can be accessed at <http://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

Important issues to consider:

- If the applicant opened or edited the application package with any software other than a compatible version of Adobe Reader, the application package may contain errors that will be transferred to the new package even if you later download the compatible Adobe Reader version.
- Applicants **cannot** copy and paste data from a package initially opened or edited with an incompatible version of Adobe Reader and will need to download an **entirely new package** using the compatible version of Adobe Reader.
- Some applicants using an incompatible version of Adobe Reader **may have trouble** opening and viewing the application package while others may find they can open, view and complete

the application package but **may not be able to submit** the application package through Grants.gov.

- Grants.gov **does not** guarantee to support versions of Adobe Reader that are not compatible with Grants.gov.
- Any and all edits made to the Adobe Reader application package **must** be made with a compatible version of Adobe Reader.
- If more than one person is entering text into a Workspace PDF form, the same version of Adobe Reader software should be used by each person. Check the version number of the Adobe software on each user's computer to make sure the versions match. Using different versions of Adobe Reader may cause submission and/or save errors – even if each version is individually compatible with Grants.gov.

For your convenience, a compatible version of Adobe Reader is available for free download at <http://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>.

We strongly recommend that you review the information on computer and operating system compatibility with Adobe available at <http://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html> **before** downloading, completing or submitting your application.

Applicants are reminded that they should submit their application a day or two in advance of the closing date as detailed in the Federal Register Notice. If you have any questions regarding this matter please email the Grants.gov Contact Center at support@grants.gov or call 1-800-518-4726.

Grants.gov Submission Procedures and Tips for Applicants

To facilitate your use of Grants.gov, this document includes important submission procedures you need to be aware of to ensure your application is received in a timely manner and accepted by the Department of Education.

Browser Support

The latest versions of Microsoft Internet Explorer (IE), Mozilla Firefox, Google Chrome, and Apple Safari are supported for use with Grants.gov. However, these web browsers undergo frequent changes and updates, so we recommend you have the latest version when using Grants.gov. Legacy versions of these web browsers may be functional, but you may experience issues.

For additional information or updates, please see the Grants.gov Browser information in the Applicant FAQs: <http://www.grants.gov/web/grants/applicants/applicant-faqs.html#browser>

ATTENTION – Workspace, Adobe Forms and PDF Files Required

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different web forms within an application. For each funding opportunity announcement (FOA), you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to: <https://www.grants.gov/web/grants/applicants/workspace-overview.html>

- 1) Create a Workspace: Creating a workspace allows you to complete it online and route it through your organization for review before submitting.
- 2) Complete a Workspace: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.
 - a. Adobe Reader: If you decide not to apply by filling out web forms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader. NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at: <https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>
 - b. Mandatory Fields in Forms: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.
 - c. Complete SF-424 Fields First: The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and DUNS Number. Once it is completed, the information will transfer to the other forms.
- 3) Submit a Workspace: An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.
- 4) Track a Workspace Submission: After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to <https://www.grants.gov/web/grants/applicants/applicant-training.html>

Helpful Reminders

- 1) **REGISTER EARLY** – Grants.gov registration involves many steps including registration on SAM (www.sam.gov) which may take approximately one week to complete, but could take upwards of several weeks to complete, depending upon the completeness and accuracy of the data entered into the SAM database by an applicant. You may begin working on your application while completing the registration process, but you cannot submit an application until all of the Registration steps are complete. Please note that once your SAM registration is active, it will take 24-48 hours for the information to be available in Grants.gov, and before you can submit an application through Grants.gov. For detailed information on the Registration Steps, please go to: <http://www.grants.gov/web/grants/register.html> [Note: Your organization will need to update its SAM registration annually.]

Primary information about SAM is available at www.sam.gov. However, to further assist you with obtaining and registering your DUNS number and TIN in SAM or updating your existing SAM account the Department of Education has prepared a SAM.gov Tip Sheet which you can find at: <http://www2.ed.gov/fund/grant/apply/sam-faqs.html>

- 2) **SUBMIT EARLY** – **We strongly recommend that you do not wait until the last day to submit your application. Grants.gov will put a date/time stamp on your application and then process it after it is fully uploaded.** The time it takes to upload an application will vary depending on a number of factors including the size of the application and the speed of your Internet connection, and the time it takes Grants.gov to process the application will vary as well. If Grants.gov rejects your application (see step three below), you will need to resubmit successfully to Grants.gov before 11:59:59 p.m. Eastern Time on the deadline date.

Note: To submit successfully, you must provide the DUNS number on your application that was used when you registered as an Authorized Organization Representative (AOR) on Grants.gov. This DUNS number is typically the same number used when your organization registered with the SAM. If you do not enter the same DUNS number on your application as the DUNS you registered with, Grants.gov will reject your application.

- 3) **VERIFY SUBMISSION IS OK** – You will want to verify that Grants.gov received your application submission on time and that it was validated successfully. To see the date/time your application was received, login to Grants.gov and click on the Track My Application link. For a successful submission, the date/time received should be earlier than 11:59:59 p.m. Eastern Time, on the deadline date, AND the application status should be: Validated, Received by Agency, or Agency Tracking Number Assigned. Once the Department of Education receives your application from Grants.gov, an Agency Tracking Number (PR/award number) will be assigned to your application and will be available for viewing on Grants.gov's Track My Application link.

If the date/time received is later than 11:59:59 p.m. Eastern Time on the deadline date, your application is late. If your application has a status of "Received" it is still awaiting validation by Grants.gov. Once validation is complete, the status will either change to

“Validated” or “Rejected with Errors.” If the status is “Rejected with Errors,” your application has not been received successfully. Some of the reasons Grants.gov may reject an application can be found on the Grants.gov site: <http://www.grants.gov/web/grants/applicants/encountering-error-messages.html>. For more detailed information on troubleshooting Adobe errors, you can review the Adobe Software Tip Sheet at: <http://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>. If you discover your application is late or has been rejected, please see the instructions below. Note: You will receive a series of confirmations both online and via e-mail about the status of your application. Please do not rely solely on e-mail to confirm whether your application has been received timely and validated successfully.

Submission Problems – What should you do?

If you have problems submitting to Grants.gov before the closing date, please contact Grants.gov Customer Support at 1-800-518-4726 or email at: <mailto:support@grants.gov> or access the Grants.gov Self-Service Knowledge Base web portal at: <https://grants-portal.psc.gov/Welcome.aspx?pt=Grants>

If electronic submission is required, you must submit an electronic application before 11:59:59 p.m., unless you follow the procedures in the Federal Register notice and qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. If electronic submission is optional and you have problems that you are unable to resolve before the deadline date and time for electronic applications, please follow the transmittal instructions for hard copy applications in the Federal Register notice and get a hard copy application postmarked by midnight on the deadline date. (See the Federal Register notice for detailed instructions.)

Helpful Hints When Working with Grants.gov

Please note, once you download an application from Grants.gov, you will be working offline and saving data on your computer. Please be sure to note where you are saving the Grants.gov file on your computer. You will need to logon to Grants.gov to upload and submit the application. **You must provide the DUNS number on your application that was used when you registered as an Authorized Organization Representative (AOR) on Grants.gov.**

Please go to <http://www.grants.gov/web/grants/support.html> for help with Grants.gov. For additional tips related to submitting grant applications, please refer to the Grants.gov Applicant FAQs found at this Grants.gov link: <http://www.grants.gov/web/grants/applicants/applicant-faqs.html>

Dial-Up Internet Connections

When using a dial up connection to upload and submit your application, it can take significantly longer than when you are connected to the Internet with a high-speed connection, e.g. cable modem/DSL/T1. While times will vary depending upon the size of your application, it can take a few minutes to a few hours to complete your grant submission using a dial up connection. **If you do not have access to a high-speed connection and electronic submission is required, you may want to consider following the instructions in the Federal Register notice to obtain**

an exception to the electronic submission requirement no later than two weeks before the application deadline date. (See the Federal Register notice for detailed instructions.)

Attaching Files – Additional Tips

Please note the following tips related to attaching files to your application, especially the requirement that applicants **only include read-only, flattened .PDF files** or Microsoft Word documents in their application:

- Ensure that you attach **.PDF files only** or Microsoft Word files for any attachments to your application, and any PDFs must be in a **read-only, flattened format** (meaning any fillable documents must be saved and submitted as non-fillable PDF files). PDF files and Microsoft Word files are the only Education approved file type accepted as detailed in the common instructions. Applicants must submit individual .PDF files only when attaching files to their application. Specifically, the Department will not accept any attachments that contain files within a file, such as PDF Portfolio files, or an interactive or fillable .PDF file. Any attachments uploaded that are not .PDF files or are password protected files will not be read.
- Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission. Therefore, each file uploaded to your application package should have a unique file name.
- When attaching files, applicants should follow the guidelines established by Grants.gov on the size and content of file names. Uploaded file names must be fewer than 50 characters, and, in general, applicants should not use any special characters. However, Grants.gov does allow for the following UTF-8 characters when naming your attachments: A-Z, a-z, 0-9, underscore, hyphen, space, period, parenthesis, curly braces, square brackets, ampersand, tilde, exclamation point, comma, semi colon, apostrophe, at sign, number sign, dollar sign, percent sign, plus sign, and equal sign. Applications submitted that do not comply with the Grants.gov guidelines will be rejected at Grants.gov and not forwarded to the Department.
- Applicants should limit the size of their file attachments. Documents submitted that contain graphics and/or scanned material often greatly increase the size of the file attachments and can result in difficulties opening the files. For reference, the average discretionary grant application package with all attachments is less than 5 MB. Therefore, you may want to check the total size of your package before submission.

III. Application Instructions

Electronic Application Format

Applications for grants under this competition must be submitted electronically, unless you qualify for an exception to the electronic submission requirement in accordance with the instructions in this application package.

In accordance with EDGAR §75.216 (b) and (c), an application will not be evaluated for funding if the applicant does not comply with all of the procedural rules that govern the submission of the application or the application does not contain the information required under the program.

Important note: Applications submitted to Grants.gov for the Department of Education will be posted using Adobe forms. Therefore, applicants will need to download a compatible version of Adobe reader (see Grants.gov for compatible versions).

Information on computer and operating system compatibility with Adobe and links to download the latest version is available on Grants.gov. Also, please review the **Submitting Applications with Adobe Reader Software** and **Education Submission Procedures and Tips for Applicants** forms found within this package for further information and guidance related to this requirement.

We strongly recommend that you review these details on www.Grants.gov before completing and submitting your application. In addition, applicants should submit their application a day or two in advance of the closing date as detailed below. If you have any questions regarding this matter please email the Grants.gov Contact Center at support@grants.gov or call 1-800-518-4726.

Note: Please do not attach any narratives, supporting files, or application components to any forms unless it is specifically required by the instructions for the individual section of the application. Although several forms accept attachments, the Department of Education will only review materials/files attached in accordance with the instructions provided within this application package.

Electronic Notification Option for Grant Awards

If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); OR we may send you an e-mail containing a link to access G5, the Department's Grant Management System. The email will be sent to both the project director and certifying representative in order for them to view and print the Adobe Acrobat version of the electronically signed GAN. If neither the project director nor certifying representative is registered in G5, they will immediately be prompted to register once the link is accessed. The electronic signature and issuance of the GAN makes it crucial that your application include correct email addresses for both the project director and certifying representative.

Electronic Application Submission Checklist

It is recommended that your electronic application be organized in the following manner and include the following parts in order to expedite the review process. Instructions for all parts and forms of the application are found either on the following pages of the application package or individually for each form on Grants.gov.

Review your electronic application to ensure you have completed the following forms and sections:

Part 1: Preliminary Documents

- ☐ Application for Federal Assistance (Form SF 424)
- ☐ ED Supplemental Information for SF 424

Part 2: Budget Information

- ☐ ED Budget Information Non-Construction Programs (ED Form 524)

Part 3: ED Abstract Form

- ☐ Project Abstract

Part 4: Project Narrative Attachment Form

- ☐ Application Narrative

Part 5: Budget Narrative Attachment Form

- ☐ Budget Narrative

Part 6: Other Attachments Form

- ☐ Individual Resumes for Project Directors & Key Personnel
- ☐ Copy of Indirect Cost Rate Agreement
- ☐ Application Comments from the Hawaii State Department of Education (HIDOE)
- ☐ Letters of Support

Part 7: Assurances and Certifications

- ☐ Assurances for Non-Construction Programs (SF 424B Form)
- ☐ Disclosure of Lobbying Activities (Standard Form LLL)
- ☐ Grants.gov Lobbying Form
- ☐ General Education Provisions Act (GEPA) Requirements – Section 427 (ED GEPA427 form)

Part 8: Intergovernmental Review (Executive Order 12372)

Not Applicable

Part 1: Preliminary Documents

- ☐ **Application for Federal Assistance (Form SF 424)**
- ☐ **ED Supplemental Information for SF 424**

These forms require basic identifying information about the applicant and the application. Please provide all requested applicant information (including name, address, e-mail address and DUNS number).

When applying electronically via Grants.gov, you will need to ensure that the DUNS number you enter on your application is the same as the DUNS number your organization used when it registered with the System for Award Management.

Applicants are advised to complete the Application for Federal Assistance (Form SF 424) first. Grants.gov will automatically insert the correct CFDA and program name automatically wherever needed on other forms.

NOTE: Please do not attach any narratives, supporting files, or application components to the Standard Form (SF 424). Although this form accepts attachments, the Department of Education will only review materials/files attached in accordance with the instructions provided within this application.

INSTRUCTIONS FOR THE SF-424

This is a standard form required for use as a cover sheet for submission of pre-applications and applications and related information under discretionary programs. Some of the items are required and some are optional at the discretion of the applicant or the federal agency (agency). Required fields on the form are identified with an asterisk (*) and are also specified as “Required” in the instructions below. In addition to these instructions, applicants must consult agency instructions to determine other specific requirements.

Item	Entry:	Item:	Entry:
1.	Type of Submission: (Required) Select one type of submission in accordance with agency instructions. <ul style="list-style-type: none"> • Pre-application • Application • Changed/Corrected Application – Check if this submission is to change or correct a previously submitted application. Unless requested by the agency, applicants may not use this form to submit changes after the closing date. 	10.	Name of Federal Agency: (Required) Enter the name of the federal agency from which assistance is being requested with this application.
		11.	Catalog of Federal Domestic Assistance Number/Title: Enter the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested, as found in the program announcement, if applicable.
2.	Type of Application: (Required) Select one type of application in accordance with agency instructions. <ul style="list-style-type: none"> • New – An application that is being submitted to an agency for the first time. • Continuation - An extension for an additional funding/budget period for a project with a projected completion date. This can include renewals. • Revision - Any change in the federal government’s financial obligation or contingent liability from an existing obligation. If a revision, enter the appropriate letter(s). More than one may be selected. If “Other” is selected, please specify in text box provided. A. Increase Award D. Decrease Duration B. Decrease Award E. Other (specify) C. Increase Duration	12.	Funding Opportunity Number/Title: (Required) Enter the Funding Opportunity Number (FON) and title of the opportunity under which assistance is requested, as found in the program announcement.
		13.	Competition Identification Number/Title: Enter the competition identification number and title of the competition under which assistance is requested, if applicable.
		14.	Areas Affected by Project: This data element is intended for use only by programs for which the area(s) affected are likely to be different than the place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Add attachment to enter additional areas, if needed.
3.	Date Received: Leave this field blank. This date will be assigned by the Federal agency.	15.	Descriptive Title of Applicant’s Project: (Required) Enter a brief descriptive title of the project. If appropriate, attach a map showing project location (e.g., construction or real property projects). For pre-applications, attach a summary description of the project.
4.	Applicant Identifier: Enter the entity identifier assigned by the Federal agency, if any, or the applicant’s control number if applicable.		
5a.	Federal Entity Identifier: Enter the number assigned to your organization by the federal agency, if any.	16.	Congressional Districts Of: 16a. (Required) Enter the applicant’s congressional district. 16b. Enter all district(s) affected by the program or project. Enter in the format: 2 characters state abbreviation – 3 characters district number, e.g., CA-005 for California 5th district, CA-012 for California 12 district, NC-103 for North Carolina’s 103 district. If all congressional districts in a state are affected, enter “all” for the district number, e.g., MD-all for all congressional districts in Maryland. If nationwide, i.e. all districts within all states are affected, enter US-all. If the program/project is outside the US, enter 00-000. This optional data element is intended for use only by programs for which the area(s) affected are likely to be different than place(s) of performance reported on the SF-424 Project/Performance Site Location(s) Form. Attach an additional list of program/project congressional districts, if needed.
5b.	Federal Award Identifier: For new applications, enter NA. For a continuation or revision to an existing award, enter the previously assigned federal award identifier number. If a changed/corrected application, enter the federal identifier in accordance with agency instructions.		
6.	Date Received by State: Leave this field blank. This date will be assigned by the state, if applicable.		
7.	State Application Identifier: Leave this field blank. This identifier will be assigned by the state, if applicable.		
8.	Applicant Information: Enter the following in accordance with agency instructions:		
	a. Legal Name: (Required) Enter the legal name of applicant that will undertake the assistance activity. This is the organization that has registered with the Central Contractor Registry (CCR). Information on registering with CCR may be obtained by visiting www.Grants.gov .	17.	Proposed Project Start and End Dates: (Required) Enter the proposed start date and end date of the project.
	b. Employer/Taxpayer Number (EIN/TIN): (Required) Enter the employer or taxpayer identification number (EIN or TIN) as assigned by the Internal Revenue Service. If your organization is not in the US, enter 44-4444444.	18.	Estimated Funding: (Required) Enter the amount requested, or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines, as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses.

Item	Entry:	Item	Entry:																								
	c. Organizational DUNS: (Required) Enter the organization's DUNS or DUNS+4 number received from Dun and Bradstreet. Information on obtaining a DUNS number may be obtained by visiting www.Grants.gov .	19.	Is Application Subject to Review by State Under Executive Order 12372 Process? (Required) Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Select the appropriate box. If "a." is selected, enter the date the application was submitted to the State.																								
	d. Address: Enter address: Street 1 (Required); city (Required); County/Parish, State (Required if country is US), Province, Country (Required), 9-digit zip/postal code (Required if country US).	20.	Is the Applicant Delinquent on any Federal Debt? (Required) Select the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of federal debt include; but, may not be limited to: delinquent audit disallowances, loans and taxes. If yes, include an explanation in an attachment.																								
	e. Organizational Unit: Enter the name of the primary organizational unit, department or division that will undertake the assistance activity.	21.	Authorized Representative: To be signed and dated by the authorized representative of the applicant organization. Enter the first and last name (Required); prefix, middle name, suffix. Enter title, telephone number, email (Required); and fax number. A copy of the governing body's authorization for you to sign this application as the official representative must be on file in the applicant's office. (Certain federal agencies may require that this authorization be submitted as part of the application.)																								
	f. Name and contact information of person to be contacted on matters involving this application: Enter the first and last name (Required); prefix, middle name, suffix, title. Enter organizational affiliation if affiliated with an organization other than that in 7.a. Telephone number and email (Required); fax number.																										
9.	Type of Applicant: (Required) Select up to three applicant type(s) in accordance with agency instructions.																										
	<table border="0"> <tr> <td>A. State Government</td><td>M. Nonprofit</td></tr> <tr> <td>B. County Government</td><td>N. Private Institution of Higher Education</td></tr> <tr> <td>C. City or Township Government</td><td>O. Individual</td></tr> <tr> <td>D. Special District Government</td><td>P. For-Profit Organization (Other than Small Business)</td></tr> <tr> <td>E. Regional Organization</td><td>Q. Small Business</td></tr> <tr> <td>F. U.S. Territory or Possession</td><td>R. Hispanic-serving Institution</td></tr> <tr> <td>G. Independent School District</td><td>S. Historically Black Colleges and Universities (HBCUs)</td></tr> <tr> <td>H. Public/State Controlled Institution of Higher Education</td><td>T. Tribally Controlled Colleges and Universities (TCCUs)</td></tr> <tr> <td>I. Indian/Native American Tribal Government (Federally Recognized)</td><td>U. Alaska Native and Native Hawaiian Serving Institutions</td></tr> <tr> <td>J. Indian/Native American Tribal Government (Other than Federally Recognized)</td><td>V. Non-US Entity</td></tr> <tr> <td>K. Indian/Native American Tribally Designated Organization</td><td>W. Other (specify)</td></tr> <tr> <td>L. Public/Indian Housing Authority</td><td></td></tr> </table>	A. State Government	M. Nonprofit	B. County Government	N. Private Institution of Higher Education	C. City or Township Government	O. Individual	D. Special District Government	P. For-Profit Organization (Other than Small Business)	E. Regional Organization	Q. Small Business	F. U.S. Territory or Possession	R. Hispanic-serving Institution	G. Independent School District	S. Historically Black Colleges and Universities (HBCUs)	H. Public/State Controlled Institution of Higher Education	T. Tribally Controlled Colleges and Universities (TCCUs)	I. Indian/Native American Tribal Government (Federally Recognized)	U. Alaska Native and Native Hawaiian Serving Institutions	J. Indian/Native American Tribal Government (Other than Federally Recognized)	V. Non-US Entity	K. Indian/Native American Tribally Designated Organization	W. Other (specify)	L. Public/Indian Housing Authority			
A. State Government	M. Nonprofit																										
B. County Government	N. Private Institution of Higher Education																										
C. City or Township Government	O. Individual																										
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K. Indian/Native American Tribally Designated Organization	W. Other (specify)																										
L. Public/Indian Housing Authority																											

[U.S Department of Education note: As of summer, 2019, the FON discussed in Block 12 of the instructions can be found via the following URL: <https://www.grants.gov/web/grants/search-grants.html>.]

Instructions for U.S. Department of Education Supplemental Information for the SF-424

1. Project Director. Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application. Items marked with an asterisk (*) are mandatory.

2. Novice Applicant. Check “Yes” if you meet the definition for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424”). By checking “Yes” the applicant certifies that it meets these novice applicant requirements. Check “No” if you do not meet the definition for novice applicants.

This novice applicant information will be used by ED to: 1) determine the amount and type of technical assistance that a novice might need, if funded, and 2) determine novice applicant eligibility in discretionary grant competitions that give special consideration to novice applications. Certain ED discretionary grant programs give special consideration to novice applications, either by establishing a special competition for novice applicants or by giving competitive preference to novice applicants under the procedures in 34 CFR 75.105(c)(2). If special consideration is being given to novice applications under a particular discretionary grant competition, the application notice for the competition published in the Federal Register will specify this information

3. Human Subjects Research. (See I. A. “Definitions” in attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”)

3a. If Not Human Subjects Research. Check “No” if research activities involving human subjects are not planned at any time during the proposed project period. The remaining parts of Item 3 are then not applicable.

3a. If Human Subjects Research. Check “Yes” if research activities involving human subjects are planned at any time during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution. Check “Yes” even if the research is exempt from the regulations for the protection of human subjects. (See I. B. “Exemptions” in attached page entitled “Definitions for U.S. Department of Education Supplemental Information for SF-424.”)

3b. If Human Subjects Research is Exempt from the Human Subjects Regulations. Check “Yes” if all the research activities proposed are designated to be exempt from the regulations. Check the exemption number(s) corresponding to one or more of the six exemption categories listed in I. B. “Exemptions.” In addition, follow the instructions in II. A. “Exempt Research Narrative” in the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

3b. If Human Subjects Research is Not Exempt from Human Subjects Regulations. Check “No” if some or all of the planned research activities are covered (not exempt). In addition, follow the instructions in II. B. “Nonexempt Research Narrative” in the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

3b. Human Subjects Assurance Number. If the applicant has an approved Federal Wide Assurance (FWA) on file with the Office for Human Research Protections (OHRP), U.S. Department of Health and Human Services, that covers the specific activity, insert the number in the space provided. (A list of current FWAs is available at: <http://ohrp.cit.nih.gov/search/asearch.asp#ASUR>) If the applicant does not have an approved assurance on file with OHRP, enter “None.” In this case, the applicant, by signature on the SF-424, is declaring that it will comply with 34 CFR 97 and proceed to obtain the human subjects’ assurance upon request by the designated ED official. If the application is recommended/selected for funding, the designated ED official will request that the applicant obtain the assurance within 30 days after the specific formal request.

3c. If applicable, please attach your “Exempt Research” or “Nonexempt Research” narrative to your submission of the U.S. Department of Education Supplemental Information for the SF-424 form as instructed in item II, “Instructions for Exempt and Nonexempt Human Subjects Research Narratives” in the attached page entitled “Definitions for U.S. Department of Education Supplemental Information for the SF-424.”

Note about Institutional Review Board Approval. ED does not require certification of Institutional Review Board approval with the application. However, if an application that involves non-exempt human subjects research is recommended/selected for funding, the designated ED official will request that the applicant obtain and send the certification to ED within 30 days after the formal request.

No covered human subjects research can be conducted until the study has ED clearance for protection of human subjects in research.

Paperwork Burden Statement. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1894-0006. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed and complete and review the information collection. If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-0170. If you have comments or concerns regarding the status of your individual submission of this form write directly to: Rural Insular and Native Achievement Programs, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Definitions for U.S. Department of Education Supplemental Information for the SF-424

Definitions:

Novice Applicant (See 34 CFR 75.225)

For discretionary grant programs, novice applicant means any applicant for a grant from ED that—

- Has never received a grant or subgrant under the program from which it seeks funding;
- Has never been a member of a group application, submitted in accordance with 34 CFR 75.127-75.129, that received a grant under the program from which it seeks funding; and
- Has not had an active discretionary grant from the Federal government in the five years before the deadline date for applications under the program. For the purposes of this requirement, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.

In the case of a group application submitted in accordance with 34 CFR 75.127-75.129, a group includes only parties that meet the requirements listed above.

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in the regulations.

—Research

The ED Regulations for the Protection of Human Subjects, Title 34, Code of Federal Regulations, Part 97, define research as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute research whether or not they are conducted or supported under a program that is considered research for other purposes. For example, some demonstration and service programs may include research activities.

—Human Subject

The regulations define human subject as “a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information.” *(1) If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met. (2) If an activity involves obtaining private information about a living person in such a way that the information can be **directly or indirectly** linked to that individual, the definition of human subject is met* [Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a school health record).]

B. Exemptions.

Research activities in which the only involvement of human subjects will be in one or more of the following six categories of **exemptions** are not covered by the regulations:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (a) research on regular and special education instructional strategies, or (b) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods. ***If an educational practice is being introduced to the site and is not widely used for similar populations, it is not covered by this exemption.***

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. ***If the subjects are children, exemption 2 applies only to research involving educational tests and observations of public behavior when the investigator(s) do not participate in the activities being observed.***

Exemption 2 does not apply if children are surveyed or interviewed or if the research involves observation of public behavior and the investigator(s) participate in the activities being observed. [Children are defined as persons who have not attained the legal age for consent to treatments or procedures

involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior that is not exempt under section (2) above, if the human subjects are elected or appointed public officials or candidates for public office; or federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in a manner that subjects cannot be identified, directly or through identifiers linked to the subjects. *[This exemption applies only to retrospective studies using data collected before the initiation of the research.]*

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine:

(a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to those programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs. *[The standards of this exemption are rarely met because it was designed to apply only to specific research conducted by HHS at the time the regulations were established. We will strictly construe this exemption because it was not intended to apply to ED research.]*

(6) Taste and food quality evaluation and consumer acceptance studies, (a) if wholesome foods without additives are consumed or (b) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked “Yes” for Item 3.b. of the U.S. Department of Education Supplemental Information for the SF-424, the applicant must attach a human subjects “exempt research” or “nonexempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424 form. If you have multiple projects and need to provide more than one narrative, be sure to label each set of responses as to the project they address.

A. Exempt Research Narrative.

If you marked “Yes” for item 3.b. and designated exemption numbers(s), attach the “exempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

If you marked “No” for item 3.b. you must attach the “nonexempt research” narrative to the U.S. Department of Education Supplemental Information for the SF-424. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

(1) Human Subjects Involvement and Characteristics:

Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable

(2) Sources of Materials: Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.

(3) Recruitment and Informed Consent: Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.

(4) Potential Risks: Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.

(5) Protection Against Risk: Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for

monitoring the data collected to ensure the safety of the subjects.

(6) **Importance of the Knowledge to be Gained:** Discuss the importance of the knowledge gained or to be gained as a result of the proposed research. Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.

(7) **Collaborating Site(s):** If research involving human subjects will take place at collaborating site(s) or other performance site(s), name the sites and briefly describe their involvement or role in the research.

*Copies of the Department of Education's Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Office of Finance and Operations, U.S. Department of Education, Washington, D.C. 20202-4331, telephone: (202) 245-8090, and on the U.S. Department of Education's Protection of Human Subjects in Research Web Site:
<http://www.ed.gov/about/offices/list/ocfo/humansub.html>*

NOTE: The **State Applicant Identifier** on the SF-424 is for State Use only. Please complete it on the SF-424 in the upper right corner of the form (if applicable).

Part 2: Budget Information

Note: No more than five percent of funds awarded for a grant under this program may be used for administration (20 U.S.C. 7545). This five-percent limit must include both direct and indirect administrative costs. Please see page 41 of the application package for more information about the administrative cost limit.

☐ ED Budget Information Non-Construction Programs (ED Form 524)

This part of your application contains information about the Federal funding you are requesting. Remember that you must provide all requested budget information for each year of the project (up to 36 months) and the total column in order to be considered for Federal funding. Specific instructions for completing the budget forms are provided within this application package.

Instructions for completing ED Form 524 Section A:

Name of Institution/Organization: Enter the name of the applicant in the space provided.

Personnel (line 1): Enter project personnel salaries and wages only. Include fees and expenses for consultants on line 6.

Fringe Benefits (line 2): The institution's normal fringe benefits contribution may be charged to the program. Leave this line blank if fringe benefits applicable to direct salaries and wages are treated as part of the indirect cost.

Travel (line 3): Indicate the travel costs of employees and participants only. Include travel of persons such as consultants on line 6.

Equipment (line 4): Indicate the cost of tangible, non-expendable personal property that has a usefulness greater than one year and acquisition costs that are the lesser of the capitalization level established by the applicant entity for financial statement purposes or \$5,000 per article. Lower limits may be established to maintain consistency with the applicant's policy.

Supplies (line 5): Show all tangible, expendable personal property. Direct supplies and materials differ from equipment in that they are consumable, expendable, and of a relatively low unit cost. *Supplies purchased with grant funds should directly benefit the grant project and be necessary for achieving the goals of the project.*

Contractual (line 6): The contractual category should include all costs specifically incurred with actions that the applicant takes in conjunction with an established internal procurement system. Include consultant fees, expenses, and travel costs in this category if the consultant's services are obtained through a written binding agreement or contract.

Construction (line 7): Congress has expressly authorized that FY 2020 program funds may be used for construction of facilities that support the operation of Native Hawaiian Education programs. This language is pending final budget authorization.

Other (line 8): Indicate all direct costs not covered on lines 1-6. For example, include costs such

as space rental, required fees, honoraria and travel (where a contract is not in place for services), training, and communication and printing costs. *Do not include costs that are included in the indirect cost rate.*

Total Direct Costs (line 9): The sum of lines 1-8.

Indirect Costs (line 10): Indicate the applicant's approved indirect cost rate, per sections 75.560 – 75.564 of EDGAR. If an applicant does not have an approved indirect cost rate agreement with a cognizant Federal agency, the applicant must apply to the Department for a temporary indirect cost rate if it wishes to charge indirect costs to the grant. For more information, go to the Department's website at: <http://www.ed.gov/about/offices/list/ocfo/fipao/icgindex.html>.

Training Stipends (line 11): This line item is not applicable to this program. The training stipend line item only pertains to costs associated with long term training programs and college or university coursework, not workshops or short-term training supported by this program. *Salary stipends paid to teachers and other school personnel for participating in short-term professional development should be reported in Personnel (line 1).*

Total Cost (line 12): This should equal to sum of lines 9-11 (total direct costs + indirect + stipends). The sum for column one, labeled *Project Year 1* (a), should also be equal to item 15a on the application cover sheet (SF Form 424).

Instructions for ED 524

General Instructions

This form is used to apply to individual U.S. Department of Education (ED) discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached. You may access the Education Department General Administrative Regulations cited within these instructions at:

<http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>. You may access requirements from 2 CFR 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” cited within these instructions at:

<https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards>.

You must consult with your Business Office prior to submitting this form.

Section A - Budget Summary

U.S. Department of Education Funds

All applicants must complete Section A and provide a break-down by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e): For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, columns (a)-(e): Show the total budget request for each project year for which funding is requested.

Line 12, column (f): Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Indirect Cost Information: If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office.

(1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government. If you checked “no,” ED generally will authorize grantees to use a temporary rate of 10 percent of budgeted salaries and wages (**complete (4) of this section when using the temporary rate**) subject to the following limitations:

(a) The grantee must submit an indirect cost proposal to its cognizant agency within 90 days after ED issues a grant award notification; and

(b) If after the 90-day period, the grantee has not submitted an indirect cost proposal to its cognizant agency, the grantee may not charge its grant for indirect costs until it has negotiated an indirect cost rate agreement with its cognizant agency.

(2): If you checked “yes” in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In

addition, indicate whether ED, another Federal agency (Other) or State agency issued the approved agreement. If you check “Other,” specify the name of the Federal or other agency that issued the approved agreement.

(3): If you check “no” in (1), indicate in (3) if you want to use the de minimis rate of 10 percent of MTDC (see 2CFR § 200.68). If you use the de minimis rate, you are subject to the provisions in 2 CFR § 200.414(f). Note, you may only use the 10 percent de minimis rate if you are a first-time Federal grant recipient, and you do not have an Approved Indirect Cost Rate Agreement. You may not use the de minimis rate if you are a State, Local government, or Indian Tribe, or if your grant is funded under a training rate or restricted rate program.

(3): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement, or whether you are using a restricted indirect cost rate that complies with 34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

Section B - Budget Summary

Non-Federal Funds

If you are required to provide or volunteer to provide cost-sharing or matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e): For each project year, for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category.

If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e): Show the total matching or other contribution for each project year.

Line 12, column (f): Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Budget Narrative [Attach separate sheet(s)]

Pay attention to applicable program specific instructions, if attached.

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.
2. For non-Federal funds or resources listed in Section B that are used to meet a cost-sharing or matching requirement or provided as a voluntary cost-sharing or matching commitment, you must include:
 - a. The specific costs or contributions by budget category;

b. The source of the costs or contributions; and

c. In the case of third-party in-kind contributions, a description of how the value was determined for the donated or contributed goods or services.

[Please review cost sharing and matching regulations found in 2 CFR 200.306.]

3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
4. If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which you are applying and/or your approved Indirect Cost Rate Agreement, some direct cost budget categories in your grant application budget may not be included in the base and multiplied by your indirect cost rate. For example, you must multiply the indirect cost rates of “Training grants” (34 CFR 75.562) and grants under programs with “Supplement not Supplant” requirements (“Restricted Rate” programs) by a “modified total direct cost” (MTDC) base (34 CFR 75.563 or 76.563). Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied. When calculating indirect costs (line 10) for “Training grants” or grants under “Restricted Rate” programs, you must refer to the information and examples on ED’s website at: <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>. You may also contact (202) 377-3838 for additional information regarding calculating indirect cost rates or general indirect cost rate information.
5. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1894-0006**. The time required to complete this information collection is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4537. If you have comments or concerns regarding the status of your individual submission of this form, write directly to Rural, Insular and Native Achievement Programs, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Part 3: ED Abstract Form

This section should be attached as a single document to the ED Abstract Form in accordance with the instructions found on Grants.gov and should be organized in the following manner and include the following parts in order to expedite the review process.

Ensure that you only attach the Education approved file types detailed in the Federal Register application notice (read-only, non-modifiable .pdf files). Also, do not upload any password-protected files to your application.

Please note that Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

☐ Project Abstract

The project abstract should not exceed **two** double spaced pages and should include a concise description of the following information:

- Project objectives and activities
- Proposed project outcomes
- Number of participants to be served
- Number and location of proposed sites
- Which of the absolute priorities is being addressed by the project
- If applicable, how either or both competitive preference priorities are addressed by the project

Note: Grants.gov may include a note that indicates that the project abstract may not exceed one page; however, an abstract of more than one page may be uploaded.

Part 4: Project Narrative Attachment Form

*This section should be attached as a **single** document to the Project Narrative Attachment Form in accordance with the instructions found on [Grants.gov](https://www.grants.gov) and should be organized in the following manner and include the following parts in order to expedite the review process.*

Ensure that you only attach the Education approved file types detailed in the common instructions. Also, do not upload any password-protected files to your application.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

❑ Table of Contents

The Table of Contents shows where and how the important sections of your proposal are organized and should not exceed **one** double spaced page.

❑ Application Narrative

The application narrative responds to the selection criteria found in this application package and should follow the order of the selection criteria.

We encourage applicants to limit this section of the application to the equivalent of no more than 30 pages and adhere to the following guidelines:

- A “page” is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the recommended page limit does apply to all of the application narrative.

Selection Criteria for Program Narrative

The selection criteria for this competition are from 34 CFR 75.210 and section 6304(a)(2)(A) of the ESEA. The maximum score for all the selection criteria is 120 points. The maximum possible score for addressing each selection criterion is indicated in parentheses. Each criterion also includes the factors that reviewers will consider in determining the extent to which an applicant meets the criterion. The selection criteria for this competition are as follows:

- (a) Need for project (up to 20 points)
- (b) Quality of the project design (up to 20 points)
- (c) Quality of project services (up to 30 points)
- (d) Quality of project personnel (up to 10 points)
- (e) Quality of the management plan (up to 30 points)
- (f) Quality of the project evaluation (up to 10 points)

Important note about the project evaluation: A strong evaluation plan should be included in the application narrative and should be used, as appropriate, to shape the development of the project from the beginning of the grant period. The plan should include benchmarks to monitor progress toward specific project objectives and outcome measures to assess the impact on teaching and learning or other important outcomes for project participants.

The plan should describe the evaluation design, including: (1) project specific indicators; (2) when various types of data will be collected; (3) what methods will be used; (4) what instruments will be developed and when; (5) how the data will be analyzed; (6) when reports of results and outcomes will be available; and (7) how the applicant will use the information collected through the evaluation to monitor progress of the funded project and to provide accountability information both about success at the initial site and effective strategies for replication in other settings. Please reference the Government Performance and Response Act (GPRA) Indicators for this program when designing the evaluation. Applicants are encouraged to devote an appropriate level of resources to project evaluation.

Part 5: Budget Narrative

*This section should be attached as a **single** document to the Budget Narrative Attachment Form in accordance with the instructions found on [Grants.gov](https://www.grants.gov). It should be organized in the following manner and include the following parts in order to expedite the review process.*

Ensure that you only attach the Education approved file types detailed in the common instructions. Also, do not upload any password-protected files to your application.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

Each application must also provide a Budget Narrative (which serves to meet the requirements of ED Form 524, Section C) for requested Federal funds. The Budget Narrative for requested Federal funds should provide a justification of how the money requested for each budget item will be spent.

This section requires an **itemized budget breakdown** for each project year and the **basis for estimating the costs** of personnel salaries, benefits, project staff travel, materials and supplies, consultants and subcontracts, indirect costs and any other projected expenditures. Be sure to complete an itemized budget breakdown and narrative for each year of the proposed project (up to 36 months).

The Budget Narrative provides an opportunity for the applicant to identify the nature and amount of the proposed expenditures. The applicant should provide sufficient detail to enable reviewers and project staff to understand how requested funds will be used, how much will be expended, and the relationship between the requested funds and project activities and outcomes.

Important Notes

- Applicants are encouraged to review OMB Circular A-21, *Cost Principles for Educational Institutions* (codified at 2 CFR 220); OMB Circular A-87, *Cost Principles for State, Local, and Indian Tribal Governments* (codified at 2 CFR 225); or OMB Circular A-122, *Cost Principles for Nonprofit Organizations* (codified at 2 CFR 230) in preparing their budget and budget narrative.
- OMB Circular A-21 may be found at the following link:
https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A21/a21_2004.pdf
- OMB Circular A-87 may be found at the following link:
https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A87/a87_2004.pdf
- OMB Circular A-122 may be found at the following link:
https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/circulars/A122/a122_2004.pdf

Suggested Guidelines for the Budget Narrative

In accordance with 34 CFR 75.232, Department of Education staff perform a cost analysis of each recommended project to ensure that costs relate to the activities and objectives of the project, are reasonable, allowable and allocable. We may delete or reduce costs from the budget during this review.

To facilitate the review of your Budget Narrative, we encourage each applicant to include the following information for each year of the project:

1. Personnel

- Provide the title and duties of each position to be compensated under this project.
- Provide the salary for each position under this project.
- Provide the amounts of time, such as hours or percentage of time to be expended by each position under this project.
- Explain the importance of each position to the success of the project.
- Provide the basis for cost estimates or computations.

2. Fringe Benefits

- Give the fringe benefit percentages of all personnel included under Personnel.
- Provide the rate and base on which fringe benefits are calculated.

3. Travel

- Explain the purpose of the travel, how it relates to project success, how it aligns with the project goals and objectives and which program participants or staff will participate.
- Submit an estimate for the number of trips, points of origin and destination, and purpose of travel.
- Submit an itemized estimate of transportation and/or subsistence costs for each trip.
- Provide the basis for cost estimates or computations.

4. Equipment

- Indicate the estimated unit cost for each item to be purchased.
- Identify each type of equipment.
- Provide adequate justification of the need for items of equipment to be purchased.
- Explain the purpose of the equipment, and how it relates to project success.
- Provide the basis for cost estimates or computations.

5. Supplies

- Provide an itemized estimate of materials and supplies by nature of expense or general category (e.g., instructional materials, office supplies, etc.).
- Explain the purpose of the supplies and how they relate to project success.
- Provide the basis for cost estimates or computations.

6. Contractual

- Provide the purpose and relation to project success.
- Describe the products to be acquired, and/or the professional services to be provided.
- Provide a brief justification for the use of the contractors selected.
- Identify the name(s) of the contracting party, including consultants, if available.

- Provide the cost per contractor.
- Provide the amount of time that the project will be working with the contractor(s).
- For professional services contracts, provide the amounts of time to be devoted to the project, including the costs to be charged to this proposed grant award.
- Provide a brief statement that you have followed the procedures for procurement under 2 CFR 200.317-200.326.
- Provide the basis for cost estimates or computations.

7. Construction

Special Instructions for Applications Including Construction Costs

Congress has expressly authorized the use of FY 2020 program funds for construction.

Accordingly, NHE program funds may be used for construction of facilities that support the operation of Native Hawaiian education programs. Section 75.600 through 75.617 of EDGAR outline specific requirements for grants including construction. Please review these provisions when applying for funds. Among other Federal requirements, applicants are required to adhere to the following:

- The applicant has or will have title or other interest in the project site, including right of access, and that the site will continue to be used for educational purposes after the completion of the project.
- Sufficient funds are available to meet any share of the costs of the repair, renovation, or construction of projects that are not part of this grant.
- Competent architectural engineering supervision and inspection will be maintained at the project's site to ensure that the work conforms to the drawings and specifications for the approved project. Actual construction of the project should begin and end within a reasonable amount of time and in accordance with the approved specifications.
- Grant projects will be functional, economical and not elaborate in design or extravagant in the use of materials, compared with the facilities of similar type constructed by the State or other applicable geographical area. An applicant may make reasonable provisions, consistent with the other uses of the structure, for areas within the facility to be adaptable for artistic and other cultural activities. However, no more than one percent (1%) of the cost of the project may be used for the inclusion of works of art.
- Standards under the Occupational Safety and Health Act of 1970 (Pub.L. 91-576), or State and local codes, if they are more stringent, will be observed in the design and completion of the projects.
- Proposed projects shall comply with any applicable requirements under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 regarding accessibility for the disabled.
- As applicable and to the extent feasible, the design and completion of the grant project should maximize the efficient use of energy. Standard 90.1-1989 and 90.2-1993 of the American Society of Heating, Refrigerating, and Air-Conditioning Engineers, Inc. (ASHRAE) shall be applied in the design and completion of the grant project.
- It will follow the "Earthquake Hazards Reduction Act of 1977" (Pub.L. 95-125) and Executive Order 12699, "Seismic Safety of Federal and Federally-Assisted or Regulated New Building Construction."
- The facilities will be operated and maintained in accordance with applicable Federal, State, and local requirements.

- For construction projects over \$2,000, all laborers employed by contractors or subcontractors shall be paid wages at rates not less than those prevailing on similar work projects in your locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act.

8. Other

- List and identify items by major type or category (e.g., communications, printing, postage, equipment rental, etc.).
- Provide the cost per item (printing = \$500, postage = \$750).
- Provide the purpose for the expenditures and relation to project success.
- Provide the basis for cost estimates or computations.

9. Total Direct Costs

- The amount that is the sum of expenditures, per budget category, of lines 1-8.

10. Indirect Costs

- Identify indirect cost rate (if the applicant will charge indirect costs to the grant)
- Note: remember to provide a copy of the most recent approved indirect cost agreement in the Other Attachments form section of the application.

11. Training Stipends

- Not applicable.

12. Total Costs

- Sum of direct costs, indirect costs, and stipends.
- Please provide total costs for each year of the project as well as grand total cost for the entire project (up to 36 months).

Important Information Regarding Indirect Costs

Statutory Administrative Cost Limit

- Due to a statutory limitation, budgets cannot include administrative costs that exceed 5% of the total costs of the grant.
- OMB guidance from July 2017 (<https://www2.ed.gov/policy/fund/guid/uniform-guidance/ombfaq2017.pdf>) clarifies that the statutory administrative cost limit includes both direct and indirect administrative costs. To be consistent with this guidance and with government-wide practices, for this year's grant competition we are clarifying that any indirect administrative costs must be within the statutory administrative cost limit.
- Except for grantees whose indirect cost rate breaks out facilities and administrative costs separately (generally this only applies to IHEs and certain non-profit organizations; see the OMB guidance referenced above), all indirect costs are considered administrative costs, and as such, are included within the 5% statutory limit on administrative costs. This means that for this program, your indirect costs will likely be limited to 5%.
- We note that certain costs, such as travel, the project director salary, and evaluation, may not necessarily all be administrative but may be direct program cost, or may be partly direct program cost and partly administrative.
- Please describe in sufficient detail the costs and the parts of the budget lines that you include in the calculation of administrative costs. Contact HAWAIIAN@ed.gov for further information.

Part 6: Other Attachment Form

Attach one or more documents to the Other Attachments Form in accordance with the instructions found on Grants.gov. You may provide all of the required information in a single document, or in multiple documents.

Ensure that you only attach the Education approved file types detailed in the common instructions. Also, do not upload any password-protected files to your application.

Please note that Grants.gov cannot process an application that includes two or more files that have the same name within a grant submission.

When attaching files, applicants should limit the size of their file names. Lengthy file names could result in difficulties with opening and processing your application. We recommend your file names be less than 50 characters.

- ☐ **Individual Resumes for Project Directors and Key Personnel:** Provide brief resumes or job descriptions that describe personnel qualifications for the responsibilities they will carry out under the project.
- ☐ **Copy of Indirect Cost Rate Agreement**
- ☐ **Comments Received from the Hawaii State Department Education (HIDOE/LEA):**
Each applicant under this grant program must submit the application for comment to the LEA serving students who will participate in the program to be carried out under the grant, and include those comments, if any, with the application (see Title VI Part B Section 6206 (b) of ESEA).
- ☐ **Letters of Support**

Part 7: Assurances and Certifications

Be certain to complete all required assurances and certifications in [Grants.gov](https://www.grants.gov), and include all required information in the appropriate place on each form. The assurances and certifications required for this application are:

- ☐ **Assurances for Non-Construction Programs (SF 424B Form)**
- ☐ **Disclosure of Lobbying Activities (SF LLL Form)**
- ☐ **Certification Regarding Lobbying (ED 80-0013 Form)**
- ☐ **General Education Provisions Act (GEPA) Requirements – Section 427**

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 1894-0006. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (4040-0013), Washington, DC 20503

Instructions for Meeting the General Education Provisions Act (GEPA)

Section 427 Requirements

All applicants for new awards **must** include information in their applications to address this new provision in order to receive funding under this program.

Section 427 **requires** each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs.

This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age.

A general statement of an applicant's nondiscriminatory hiring policy is **not** sufficient to meet this requirement. Applicants must identify potential barriers and explain steps they will take to overcome these barriers.

Please review the Notice to all Applicants (included in the electronic application package in Grants.gov) for further information on meeting the provisions in the Department of Education's General Education Provisions Act (GEPA).

Applicants are **required** to address this provision by attaching a statement (not to exceed three pages) to the **ED GEPA427 form** that is included in the electronic application package in Grants.gov.

Part 8: Intergovernmental Review of Federal Programs (Executive Order 12372)

This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

IV. Reporting and Accountability

Successful Applicants with multi-year grants must submit an **annual performance report** demonstrating their progress in meeting approved project objectives. Grantees must also provide the most current financial and performance measure data for each year of the project.

At the end of the project period, applicants will also be required to submit a **final performance report**.

Government Performance and Results Act (GPRA) Measures

Under the Government Performance and Results Act (GPRA), the following performance measures have been established to evaluate the overall effectiveness of the Native Hawaiian Education program:

- (1) The number of grantees that attain or exceed the targets for the outcome indicators for their projects that have been approved by the Secretary;
- (2) The percentage of Native Hawaiian children participating in early education programs who consistently demonstrate school readiness in literacy as measured by the Hawaii School Readiness Assessment (HSRA);
- (3) The percentage of students in schools served by the program who graduate from high school with a high school diploma in four years; and
- (4) The percentage of students participating in a Hawaiian language program conducted under the Native Hawaiian Education Program who meet or exceed proficiency standards in reading on a test of the Hawaiian language.

For specific requirements on grantee reporting, please go to the ED Performance Report Form 524B at <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

V. Legal and Regulatory Information

Notice Inviting Applications

AGENCY:

Office of Elementary and Secondary Education, Department of Education.

ACTION:

Notice.

SUMMARY:

The Department of Education (Department) is issuing a notice inviting applications for fiscal year (FY) 2020 for the Native Hawaiian Education (NHE) program, Catalog of Federal Domestic Assistance (CFDA) number 84.362A. This notice relates to the approved information collection under OMB control number 1894-0006.

DATES:

Applications Available: December 13, 2019.

Deadline for Transmittal of Applications: February 11, 2020.

ADDRESSES:

For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the Federal Register on February 13, 2019 (84 FR 3768), and available at www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf.

FOR FURTHER INFORMATION CONTACT:

Joanne Osborne, U.S. Department of Education, 400 Maryland Avenue SW, Room 3E306, Washington, DC 20202. Telephone: (202) 401-1265. Email: Hawaiian@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of the NHE program is to support innovative projects that recognize and address the unique educational needs of Native Hawaiians. These projects must include the activities authorized under section 6205(a)(2) of the Elementary and Secondary Education Act of 1965, as amended (ESEA), and may include one or more of the activities authorized under section 6205(a)(3) of the ESEA.

Note: The construction of facilities that support the operation of Native Hawaiian education programs will be a permissible activity only if Congress specifically authorizes the use of FY 2020 funds for this purpose.

Background: The NHE program serves the unique educational needs of Native Hawaiians and recognizes the roles of Native Hawaiian languages and cultures in the educational success and long-term well-being of Native Hawaiian students. The program supports effective supplemental education programs that maximize participation of Native Hawaiian educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Native Hawaiians. The statute identifies as priority areas activities that include beginning reading and literacy among students in kindergarten through third grade, the needs of at-risk children and youth, needs in fields or disciplines in which Native Hawaiians are underemployed, and the use of the Hawaiian language in instruction. The NHE program requires that grantees focus on one or more of these priority areas.

In addition, NHE grantees may undertake a broad array of activities to achieve these purposes, as described in section 6205(a)(3) of the ESEA, including several that are consistent with the Administration's policy focus areas as expressed in the Department's Notice of Final Supplemental Priorities and Definitions for Discretionary Grant Programs (Supplemental Priorities), published in the Federal Register on March 2, 2018 (83 FR 9096). For example, section 6205(a)(3)(F) of the ESEA authorizes the development of academic and vocational curricula to address the needs of Native Hawaiian children and adults, including curriculum materials in the Hawaiian language and mathematics and science curricula that incorporate Native Hawaiian traditions and culture. Similarly, Supplemental Priority 6 calls for projects in science, technology, engineering, and math (STEM) education, including computer

science, that support student mastery of key prerequisites to ensure success in all STEM fields and expose students to building-block skills such as critical thinking and problem-solving, gained through hands-on, inquiry-based learning.

As a second example, ESEA section 6205(a)(2)(C) prioritizes programs that are designed to support projects that address needs in fields or disciplines in which Native Hawaiians are underemployed. Similarly, Supplemental Priority 3(c) is designed to support projects providing work-based learning experiences (such as internships, apprenticeships, and fellowships) that align with in-demand industry sector or occupations (as defined in section 3(23) of the Workforce Innovation and Opportunity Act of 2014 (WIOA)).

These two areas of alignment between the ESEA and the Supplemental Priorities will receive competitive preference points in this competition.

We note that, under ESEA section 6205(b), no more than five percent of funds awarded for a grant for any fiscal year under this program may be used for administrative costs. Pursuant to this statutory language, in this and future competitions under this program, this five percent limit must include both direct and indirect administrative costs. The administrative cost cap will limit the amount of indirect costs that a grantee can charge to this grant to no more than five percent. We will provide guidance and webinars on this topic for potential applicants, following the publication of this notice. For more information, see the Funding Restrictions section of this notice.

Priorities: This notice contains one absolute priority and two competitive preference priorities. Consistent with 34 CFR 75.105(b)(2)(v), the absolute priority is from section 6205(a)(2) of the ESEA. In accordance with 34 CFR 75.105(b)(2)(ii), the two competitive preference priorities are from the Supplemental Priorities.

Absolute Priority: For FY 2020 and any subsequent year in which we make awards from the list of unfunded applications from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

An applicant may address one or more parts of the absolute priority. An applicant must clearly identify in its application which part or parts of the absolute priority its project will address.

This priority is:

Eligible applicants must propose a project that is designed to address one or more of the following:

- (a) Beginning reading and literacy among students in kindergarten through third grade.
- (b) The needs of at-risk children and youth.
- (c) Needs in fields or disciplines in which Native Hawaiians are underemployed.
- (d) The use of the Hawaiian language in instruction.

Competitive Preference Priorities: For FY 2020 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i), we award up to an additional five points to an application, depending on how well the application meets Competitive Preference Priority 1, and up to an additional five points to an application, depending on how well the application meets Competitive Preference Priority 2.

We will award a maximum of 10 points to an application that addresses both of the competitive preference priorities.

These priorities are:

Competitive Preference Priority 1—Promoting Science, Technology, Engineering, or Math (STEM) Education, with a Particular Focus on Computer Science (up to five points).

Projects designed to improve student achievement or other educational outcomes in one or more of the following areas: Science, technology, engineering, math, or computer science (as defined in this notice). These projects must address the following priority area: Increasing access to STEM coursework, including computer science (as defined in this notice), and hands-on learning opportunities, such as through expanded course offerings, dual-enrollment, high-quality online coursework, or other innovative delivery mechanisms.

Competitive Preference Priority 2—Fostering Flexible and Affordable Paths to Obtaining Knowledge and Skills (up to five points).

Projects that are designed to address providing work-based learning experiences (such as internships, apprenticeships, and

fellowships) that align with in-demand industry sectors or occupations (as defined in section 3(23) of WIOA).

Definitions: The definitions below are from 34 CFR 77.1(c); sections 4310(2), 6207, and 8101 of the ESEA; the Supplemental Priorities; and section 3(23) of WIOA. These definitions apply to the FY 2020 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition.

Charter school means a public school that—

(a) In accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this definition;

(b) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

(c) Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

(d) Provides a program of elementary or secondary education, or both;

(e) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

(f) Does not charge tuition;

(g) Complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the "Family Educational Rights and Privacy Act of 1974"), and part B of the Individuals with Disabilities Education Act;

(h) Is a school to which parents choose to send their children, and that (1) admits students on the basis of a lottery, consistent with section 4303(c)(3)(A) of the ESEA, if more students apply for admission than can be accommodated; or (2) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools),

automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);

(i) Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;

(j) Meets all applicable Federal, State, and local health and safety requirements;

(k) Operates in accordance with State law;

(l) Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and

(m) May serve students in early childhood education programs or postsecondary students. (Section 4310(2) of the ESEA)

Computer science means the study of computers and algorithmic processes and includes the study of computing principle and theories, computational thinking, computer hardware, software design, coding, analytics, and computer applications. Computer science often includes computer programming or coding as a tool to create software, including applications, games, websites, and tools to manage or manipulate data; or development and management of computer hardware and the other electronics related to sharing, securing, and using digital information. In addition to coding, the expanding field of computer science emphasizes computational thinking and interdisciplinary problem-solving to equip students with the skills and abilities necessary to apply computation in our digital world. Computer science does not include using the computer for everyday activities, such as browsing the internet; use of tools like word processing, spreadsheets, or presentation software; or using computers in the study and exploration of unrelated subjects. (Supplemental Priorities)

Demonstrates a rationale means a key project component included in the project's logic model is informed by research or

evaluation findings that suggest the project component is likely to improve relevant outcomes. (34 CFR 77.1(c))

Dual or concurrent enrollment program means a program offered by a partnership between at least one institution of higher education and at least one local educational agency through which a secondary school student who has not graduated from high school with a regular high school diploma is able to enroll in one or more postsecondary courses and earn postsecondary credit that—(a) is transferable to the institutions of higher

education in the partnership; and (b) applies toward completion of a degree or recognized educational credential as described in the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.). (Section 8101(15) of the ESEA)

In-Demand industry sector or occupation means an industry sector that has a substantial current or potential impact (including through jobs that lead to economic self-sufficiency and opportunities for advancement) on the State, regional, or local economy, as appropriate, and that contributes to the growth or stability of other supporting businesses, or the growth of such industry sectors; or an occupation that currently has, or is projected to have, a number of positions (including positions that lead to economic self-sufficiency and opportunities for advancement) in an industry sector so as to have a significant impact on the State, regional, or local economy, as appropriate. The determination of whether an industry sector or occupation is in-demand under this definition shall be made by the State board or local board, as appropriate, using State or regional business and labor market projections, including the use of labor market information. (Section 3(23) of WIOA)

Logic model (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (i.e., the active “ingredients” that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes. (34 CFR 77.1(c))

Native Hawaiian means any individual who is—

(a) A citizen of the United States; and

(b) A descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii, as evidenced by—

(1) Genealogical records;

(2) Kupuna (elders) or Kamaaina (long-term community residents) verification; or

(3) Certified birth records. (Section 6207(2) of the ESEA)

Native Hawaiian community-based organization means any organization that is composed primarily of Native Hawaiians from a specific community and that assists in the social, cultural, and educational development of Native Hawaiians in that community. (Section 6207(3) of the ESEA)

Native Hawaiian educational organization means a private nonprofit organization that—

(a) Serves the interests of Native Hawaiians;

(b) Has Native Hawaiians in substantive and policymaking positions within the organization;

(c) Incorporates Native Hawaiian perspective, values, language, culture, and traditions into the core function of the organization;

(d) Has demonstrated expertise in the education of Native Hawaiian youth; and

(e) Has demonstrated expertise in research and program development. (Section 6207(4) of the ESEA)

Native Hawaiian language means the single Native American language indigenous to the original inhabitants of the State of Hawaii. (Section 6207(5) of the ESEA)

Native Hawaiian organization means a private nonprofit organization that—

(a) Serves the interests of Native Hawaiians;

(b) Has Native Hawaiians in substantive and policymaking positions within the organization; and

(c) Is recognized by the Governor of Hawaii for the purpose of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians. (Section 6207(6) of the ESEA)

Project component means an activity, strategy, intervention, process, product, practice, or policy included in a project. Evidence may pertain to an individual project component or to a combination of project components (e.g., training teachers on

instructional practices for English learners and follow-on coaching for these teachers). (34 CFR 77.1(c))

Regular high school diploma (a) means the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in ESEA section 1111(b)(1)(E); and (b) does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential. (Section 8101(43) of the ESEA)

Relevant outcome means the student outcome(s) or other outcome(s) the key project component is designed to improve, consistent with the specific goals of the program. (34 CFR 77.1(c))

Application Requirement: The following application requirement is from section 6206(b) of the ESEA and applies to the FY 2020 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition:

Each applicant for a grant under this program must submit the application for comment to the local educational agency serving students who will participate in the program to be carried out under the grant, and include those comments, if any, with the application to the Secretary.

Program Authority: Section 6205 of the ESEA (20 U.S.C. 7515).

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The Supplemental Priorities.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration's budget request for FY 2020 does not include funds for this program. However, we are inviting applications to allow enough time to complete the grant process before the end of the current fiscal year, if Congress appropriates funds for this program. Contingent upon the availability of funds and the quality of applications, we may make additional awards in subsequent years from the list of unfunded applications from this competition.

Estimated Range of Awards: \$250,000-\$950,000 for each 12-month budget period.

Estimated Average Size of Awards: \$780,000 for each 12-month period.

Estimated Number of Awards: 33.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

III. Eligibility Information

1. Eligible Applicants: The following entities are eligible to apply under this competition:

(a) Native Hawaiian educational organizations.

(b) Native Hawaiian community-based organizations.

(c) Public and private nonprofit organizations, agencies, and institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language.

(d) Charter schools.

(e) Consortia of the organizations, agencies, and institutions described in paragraphs (a) through (c).

2. Cost Sharing or Matching: This program does not require cost sharing or matching.

3. Subgrantees: A grantee under this competition may not award subgrants to entities to directly carry out project activities described in its application.

4. Performance Reports: If you receive an award under this program, you are required to provide copies of the performance reports (see section VI of this document below) to the Native

Hawaiian Education Council (authorized under section 6204 of the ESEA (20 U.S.C. 7514)).

IV. Application and Submission Information

1. Application Submission Instructions: Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the Federal Register on February 13, 2019 (84 FR 3768), and available at www.govinfo.gov/content/pkg/FR-2019-02-13/pdf/2019-02206.pdf, which contain requirements and information on how to submit an application.

2. Submission of Proprietary Information: Given the types of projects that may be proposed in applications for the NHE program, your application may include business information that you consider proprietary. In 34 CFR 5.11, we define "business information" and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under "Other Attachments Form," please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. Intergovernmental Review: This program is not subject to Executive Order 12372 and the regulations in 34 CFR part 79.

4. Funding Restrictions: No more than five percent of funds awarded for a grant under this program may be used for administrative costs (ESEA section 6205(b)). This five-percent limit must include both direct and indirect administrative costs.

Note: Pursuant to ESEA section 6205(b), in this and future competitions under this program the five-percent limit must include both direct and indirect administrative costs. The term "administrative purposes" has its common sense meaning, which is that it includes not only those administrative costs that are charged directly, but also those administrative costs that are

shared entity-wide (e.g., overhead and accounting costs) and included in an indirect cost rate. Additionally, Congress has explicitly specified in legislation authorizing other grant programs when it wishes for an administrative cost cap to refer to only direct administrative costs. It did not do so here. Thus, the administrative cost cap in this program will limit the amount of indirect costs that a grantee can charge to this grant to no more than five percent.

Please see the application package for more information about the administrative cost limit. We reference regulations outlining additional funding restrictions in the Applicable Regulations section of this notice.

5. Recommended Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 30 pages and (2) use the following standards:

A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.

Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.

Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the recommended page limit does apply to all of the application narrative.

V. Application Review Information

1. Selection Criteria: The selection criteria for this competition are from 34 CFR 75.210. The maximum score for all of the selection criteria is 120 points. The maximum score for each criterion is included in parentheses following the title of the specific selection criterion. Each criterion also includes the factors that reviewers will consider in determining the extent to which an applicant meets the criterion.

The selection criteria are as follows:

(a) Need for project (up to 20 points)

(1) The Secretary considers the need for the proposed project.

(2) In determining the need for the proposed project, the Secretary considers the following factors:

(i) The magnitude of the need for the services to be provided or the activities to be carried out by the proposed project (up to 10 points).

(ii) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses (up to 10 points).

(b) Quality of the project design (up to 20 points)

(1) The Secretary considers the quality of the design of the proposed project.

(2) In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(i) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs (up to 10 points).

(ii) The extent to which the proposed project demonstrates a rationale (as defined in this notice) (up to 10 points).

(c) Quality of project services (up to 30 points)

(1) The Secretary considers the quality of the services to be provided by the proposed project.

(2) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability (up to 10 points).

(3) In addition, the Secretary considers the following factors:

(i) The extent to which the services to be provided by the proposed project reflect up-to-date knowledge from research and effective practice (up to 10 points).

(ii) The likely impact of the services to be provided by the proposed project on the intended recipients of those services (up to 10 points).

(d) Quality of project personnel (up to 10 points)

(1) The Secretary considers the quality of the personnel who will carry out the proposed project.

(2) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have been traditionally underrepresented based on race, color, national origin, gender, age, or disability (up to 5 points).

(3) In addition, the Secretary considers the qualifications, including relevant training and experience, of key project personnel (up to 5 points).

(e) Quality of the management plan (up to 30 points)

(1) The Secretary considers the quality of the management plan for the proposed project.

(2) In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks (up to 15 points).

(ii) The adequacy of mechanisms for ensuring high-quality products and services from the proposed project (up to 15 points).

(f) Quality of the project evaluation (up to 10 points)

(1) The Secretary considers the quality of the evaluation to be conducted of the proposed project.

(2) In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation will provide valid and reliable performance data on relevant outcomes.

Note: The selection criterion for project evaluation relates to performance measure (1) under the Performance Measures section of this notice.

2. Review and Selection Process: We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. Risk Assessment and Specific Conditions: Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose specific conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. Integrity and Performance System: If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.205(a)(2), we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Open Licensing Requirements: Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to pre-existing works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of pre-existing works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the

necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

5. Performance Measures: We have established four performance measures for this program: (1) The number of grantees that attain or exceed the targets for the outcome indicators for their projects that have been approved by the Secretary; (2) the percentage of Native Hawaiian children participating in early education programs who consistently demonstrate school readiness in literacy as measured by the Hawaii School Readiness Assessment (HSRA); (3) the percentage of students in schools served by the program who graduate from high school with a regular high school diploma (as defined in this notice) in four years; and (4) the percentage of students participating in a Native Hawaiian language (as defined in this notice) program that is conducted under the NHE program who meet or exceed proficiency standards in reading on a test of the Native Hawaiian language.

6. Continuation Awards: In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those

applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under FOR FURTHER INFORMATION CONTACT.

Electronic Access to This Document: The official version of this document is the document published in the Federal Register. You may access the official edition of the Federal Register and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the Federal Register, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the Federal Register by using the article search feature at www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: December 10, 2019.

Frank T. Brogan,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 2019-26944 Filed 12-12-19; 8:45 am]

BILLING CODE 4000-01-P

Program Statute

NHE Program Statute

PART B—NATIVE HAWAIIAN EDUCATION

SEC. 6201. [20 U.S.C. 7511] SHORT TITLE.

This part may be cited as the “Native Hawaiian Education Act”.

SEC. 6202. [20 U.S.C. 7512] FINDINGS.

Congress finds the following:

(1) Native Hawaiians are a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago, whose society was organized as a nation and internationally recognized as a nation by the United States, Britain, France, and Japan, as evidenced by treaties governing friendship, commerce, and navigation.

(2) At the time of the arrival of the first nonindigenous people in Hawaii in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient subsistence social system based on a communal land tenure system with a sophisticated language, culture, and religion.

(3) A unified monarchal government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawaii.

(4) From 1826 until 1893, the United States recognized the sovereignty and independence of the Kingdom of Hawaii, which was established in 1810 under Kamehameha I, extended full and complete diplomatic recognition to the Kingdom of Hawaii, and entered into treaties and conventions with the Kingdom of Hawaii to govern friendship, commerce and navigation in 1826, 1842, 1849, 1875, and 1887.

(5) In 1893, the sovereign, independent, internationally recognized, and indigenous government of Hawaii, the Kingdom of Hawaii, was overthrown by a small group of non-Hawaiians, including United States citizens, who were assisted in their efforts by the United States Minister, a United States naval representative, and armed naval forces of the United States. Because of the participation of United States agents and citizens in the overthrow of the Kingdom of Hawaii, in 1993 the United States apologized to Native Hawaiians for the overthrow and the deprivation of the rights of Native Hawaiians to self-determination through Public Law 103–150 (107 Stat. 1510).

(6) In 1898, the joint resolution entitled “Joint Resolution to provide for annexing the Hawaiian Islands to the United States”, approved July 7, 1898 (30 Stat. 750), ceded absolute title of all lands held by the Republic of Hawaii, including the government and crown lands of the former Kingdom of Hawaii, to the United States, but mandated that revenue generated from the lands be used “solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes”.

(7) By 1919, the Native Hawaiian population had declined from an estimated 1,000,000 in 1778 to an alarming 22,600, and in recognition of this severe decline, Congress enacted the Hawaiian Homes Commission Act, 1920 (42 Stat. 108), which designated approximately 200,000 acres of ceded public lands for homesteading by Native Hawaiians.

(8) Through the enactment of the Hawaiian Homes Commission Act, 1920, Congress affirmed the special relationship between the United States and the Native Hawaiians, which was described by then Secretary of the Interior Franklin K. Lane, who said: “One thing that impressed me... was the fact that the natives of the island who are our wards, I should say, and for whom in a sense we are trustees, are falling off rapidly in numbers and many of them are in poverty.”.

(9) In 1938, Congress again acknowledged the unique status of the Hawaiian people by including in the Act of June 20, 1938 (52 Stat. 781, chapter 530; 16 U.S.C. 391b, 391b-1, 392b, 392c, 396, 396a), a provision to lease lands within the National Parks extension to Native Hawaiians and to permit fishing in the area “only by native Hawaiian residents of said area or of adjacent villages and by visitors under their guidance.”.

(10) Under the Act entitled “An Act to provide for the admission of the State of Hawaii into the Union”, approved March 18, 1959 (73 Stat. 4), the United States transferred responsibility for the administration of the Hawaiian Home Lands to the State of Hawaii but reaffirmed the trust relationship between the United States and the Hawaiian people by retaining the exclusive power to enforce the trust, including the power to approve land exchanges and amendments to such Act affecting the rights of beneficiaries under such Act.

(11) In 1959, under the Act entitled “An Act to provide for the admission of the State of Hawaii into the Union”, the United States also ceded to the State of Hawaii title to the public lands formerly held by the United States, but mandated that such lands be held by the State “in public trust” and reaffirmed the special relationship that existed between the United States and the Hawaiian people by retaining the legal responsibility to enforce the public trust responsibility of the State of Hawaii for the betterment of the conditions of Native Hawaiians, as defined in section 201(a) of the Hawaiian Homes Commission Act, 1920.

(12) The United States has recognized and reaffirmed that—

(A) Native Hawaiians have a cultural, historic, and land-based link to the indigenous people who exercised sovereignty over the Hawaiian Islands, and that group has never relinquished its claims to sovereignty or its sovereign lands;

(B) Congress does not extend services to Native Hawaiians because of their race, but because of their unique status as the indigenous people of a once sovereign nation as to whom the United States has established a trust relationship;

(C) Congress has also delegated broad authority to administer a portion of the Federal trust responsibility to the State of Hawaii;

(D) the political status of Native Hawaiians is comparable to that of American Indians and Alaska Natives; and

(E) the aboriginal, indigenous people of the United States have—

(i) a continuing right to autonomy in their internal affairs; and

(ii) an ongoing right of self-determination and selfgovernance that has never been extinguished.

(13) The political relationship between the United States and the Native Hawaiian people has been recognized and reaffirmed by the United States, as evidenced by the inclusion of Native Hawaiians in—

(A) the Native American Programs Act of 1974 (42 U.S.C. 2991 et seq.);

(B) the American Indian Religious Freedom Act (42 U.S.C. 1996);

(C) the National Museum of the American Indian Act (20 U.S.C. 80q et seq.);

(D) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(E) division A of subtitle III of title 54, United States Code;

(F) the Native American Languages Act (25 U.S.C. 2901 et seq.);

(G) the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act (20 U.S.C. 4401 et seq.);

(H) the Workforce Innovation and Opportunity Act; and

(I) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.).

SEC. 6203. [20 U.S.C. 7513] PURPOSES.

The purposes of this part are to—

(1) authorize and develop innovative educational programs to assist Native Hawaiians;

(2) provide direction and guidance to appropriate Federal, State, and local agencies to focus resources, including resources made available under this part, on Native Hawaiian education, and to provide periodic assessment and data collection;

(3) supplement and expand programs and authorities in the area of education to further the purposes of this title; and

(4) encourage the maximum participation of Native Hawaiians in planning and management of Native Hawaiian education programs.

SEC. 6204. [20 U.S.C. 7514] NATIVE HAWAIIAN EDUCATION COUNCIL.

(a) GRANT AUTHORIZED.—In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs that receive funding under this part, the Secretary shall award a grant to the education council described under subsection (b).

(b) EDUCATION COUNCIL.—

(1) ELIGIBILITY.—To be eligible to receive the grant under subsection (a), the council shall be an education council (referred to in this section as the “Education Council”) that meets the requirements of this subsection.

(2) COMPOSITION.—The Education Council shall consist of 15 members, of whom—

(A) 1 shall be the President of the University of Hawaii (or a designee);

(B) 1 shall be the Governor of the State of Hawaii (or a designee);

(C) 1 shall be the Superintendent of the State of Hawaii Department of Education (or a designee);

(D) 1 shall be the chairperson of the Office of Hawaiian Affairs (or a designee);

(E) 1 shall be the executive director of Hawaii’s Charter School Network (or a designee);

(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

(G) 1 shall be the Chief Executive Officer of the Queen Liliuokalani Trust (or a designee);

(H) 1 shall be appointed by the Secretary, in a timely manner, and chosen from a list of 5 individuals who represent one or more private grant-making entities that is submitted to the Secretary by the Education Council;

(I) 1 shall be the Mayor of the County of Hawaii (or a designee);

(J) 1 shall be the Mayor of Maui County (or a designee from the Island of Maui);

(K) 1 shall be the Mayor of the County of Kauai (or a designee);

(L) 1 shall be appointed by the Secretary, in a timely manner, and chosen from a list of 5 individuals who are from the Island of Molokai or the Island of Lanai that is submitted to the Secretary by the Mayor of Maui County;

(M) 1 shall be the Mayor of the City and County of Honolulu (or a designee);

(N) 1 shall be the chairperson of the Hawaiian Homes Commission (or a designee); and

(O) 1 shall be the chairperson of the Hawaii Workforce Development Council (or a designee representing the private sector).

(3) REQUIREMENTS.—Any designee serving on the Education Council shall demonstrate, as determined by the individual who appointed such designee with input from the Native Hawaiian community, not less than 5 years of experience as a consumer or provider of Native Hawaiian educational or cultural activities, with traditional cultural experience given due consideration.

(4) LIMITATION.—A member (including a designee), while serving on the Education Council, shall not be a direct recipient or administrator of grant funds that are awarded under this part.

(5) TERM OF MEMBERS.—A member who is a designee shall serve for a term of not more than 4 years.

(6) CHAIR; VICE CHAIR.—

(A) SELECTION.—The Education Council shall select a Chairperson and a Vice Chairperson from among the members of the Education Council.

(B) TERM LIMITS.—The Chairperson and Vice Chairperson shall each serve for a 2-year term.

(7) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.—The Education Council shall meet at the call of the Chairperson of the Council, or upon request by a majority of the members of the Education Council, but in any event not less often than every 120 days.

(8) NO COMPENSATION.—None of the funds made available through the grant may be used to provide compensation to any member of the Education Council or member of a working group established by the Education Council, for functions described in this section.

(c) USE OF FUNDS FOR COORDINATION ACTIVITIES.—The Education Council shall use funds made available through a grant under subsection (a) to carry out each of the following activities:

- (1) Providing advice about the coordination of, and serving as a clearinghouse for, the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.
- (2) Assessing the extent to which such services and programs meet the needs of Native Hawaiians, and collecting data on the status of Native Hawaiian education.
- (3) Providing direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serving, where appropriate, in an advisory capacity.
- (4) Awarding grants, if such grants enable the Education Council to carry out the activities described in paragraphs (1) through (3).
- (5) Hiring an executive director, who shall assist in executing the duties and powers of the Education Council, as described in subsection (d).

(d) USE OF FUNDS FOR TECHNICAL ASSISTANCE.—The Education Council shall use funds made available through a grant under subsection (a) to—

- (1) provide technical assistance to Native Hawaiian organizations that are grantees or potential grantees under this part;
- (2) obtain from such grantees information and data regarding grants awarded under this part, including information and data about—

- (A) the effectiveness of such grantees in meeting the educational priorities established by the Education Council, as described in paragraph (6)(D), using metrics related to these priorities; and
- (B) the effectiveness of such grantees in carrying out any of the activities described in paragraph (3) of section 6205(a) that are related to the specific goals and purposes of each grantee's grant project, using metrics related to these goals and purposes;

- (3) assess and define the educational needs of Native Hawaiians;
- (4) assess the programs and services available to address the educational needs of Native Hawaiians;
- (5) assess and evaluate the individual and aggregate impact achieved by grantees under this part in improving Native Hawaiian educational performance and meeting the goals of this part, using metrics related to these goals; and
- (6) prepare and submit to the Secretary, at the end of each calendar year, an annual report that contains—
 - (A) a description of the activities of the Education Council during the calendar year;
 - (B) a description of significant barriers to achieving the goals of this part;
 - (C) a summary of each community consultation session described in subsection (e); and
 - (D) recommendations to establish priorities for funding under this part, based on an assessment of—

- (i) the educational needs of Native Hawaiians;
- (ii) programs and services available to address such needs;
- (iii) the effectiveness of programs in improving the educational performance of Native Hawaiian students to help such students meet challenging State academic standards under section 1111(b)(1); and
- (iv) priorities for funding in specific geographic communities.

(e) USE OF FUNDS FOR COMMUNITY CONSULTATIONS.—The Education Council shall use funds made available through the grant under subsection (a) to hold not less than 1 community consultation each year on each of the islands of Hawaii, Maui, Molokai, Lanai, Oahu, and Kauai, at which—

- (1) not fewer than 3 members of the Education Council shall be in attendance;
- (2) the Education Council shall gather community input regarding—

- (A) current grantees under this part, as of the date of the consultation;
- (B) priorities and needs of Native Hawaiians; and
- (C) other Native Hawaiian education issues; and

(3) the Education Council shall report to the community on the outcomes of the activities supported by grants awarded under this part.

(f) FUNDING.—For each fiscal year, the Secretary shall use the amount described in section 6205(c)(2), to make a payment under the grant. Funds made available through the grant shall remain available until expended.

SEC. 6205. [20 U.S.C. 7515] PROGRAM AUTHORIZED.

(a) GENERAL AUTHORITY.—

(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make direct grants to, or enter into contracts with—

- (A) Native Hawaiian educational organizations;
- (B) Native Hawaiian community-based organizations;
- (C) public and private nonprofit organizations, agencies, and institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language;
- (D) charter schools; and
- (E) consortia of the organizations, agencies, and institutions described in subparagraphs (A) through (C), to carry out programs that meet the purposes of this part.

(2) PRIORITIES.—In awarding grants or contracts to carry out activities described in paragraph (3), the Secretary shall give priority to entities proposing projects that are designed to address—

- (A) beginning reading and literacy among students in kindergarten through third grade;
- (B) the needs of at-risk children and youth;
- (C) needs in fields or disciplines in which Native Hawaiians are underemployed; and
- (D) the use of the Hawaiian language in instruction.

(3) AUTHORIZED ACTIVITIES.—Activities provided through programs carried out under this part may include—

- (A) the development and maintenance of a statewide Native Hawaiian early education and care system to provide a continuum of services for Native Hawaiian children from the prenatal period of the children through age 5;
- (B) the operation of family-based education centers that provide such services as—

- (i) programs for Native Hawaiian parents and their infants from the prenatal period of the infants through age 3;
- (ii) preschool programs for Native Hawaiians; and
- (iii) research on, and development and assessment of, family-based, early childhood, and preschool programs for Native Hawaiians;

- (C) activities that enhance beginning reading and literacy in either the Hawaiian or the English language among Native Hawaiian students in kindergarten through grade 3 and assistance in addressing the distinct features of combined English and Hawaiian literacy for Hawaiian speakers in grades 5 and 6;
- (D) activities to meet the special needs of Native Hawaiian students with disabilities, including—

- (i) the identification of such students and their needs;
- (ii) the provision of support services to the families of such students; and
- (iii) other activities consistent with the requirements of the Individuals with Disabilities Education Act;

(E) activities that address the special needs of Native Hawaiian students who are gifted and talented, including—

- (i) educational, psychological, and developmental activities designed to assist in the educational progress of those students; and
- (ii) activities that involve the parents of those students in a manner designed to assist in the educational progress of such students;

(F) the development of academic and vocational curricula to address the needs of Native Hawaiian children and adults, including curriculum materials in the Hawaiian language and mathematics and science curricula that incorporate Native Hawaiian tradition and culture;

(G) professional development activities for educators, including—

- (i) the development of programs to prepare prospective teachers to address the unique needs of Native Hawaiian students within the context of Native Hawaiian culture, language, and traditions;
- (ii) in-service programs to improve the ability of teachers who teach in schools with high concentrations of Native Hawaiian students to meet the unique needs of such students; and
- (iii) the recruitment and preparation of Native Hawaiians, and other individuals who live in communities with a high concentration of Native Hawaiians, to become teachers;

(H) the operation of community-based learning centers that address the needs of Native Hawaiian students, parents, families, and communities through the coordination of public and private programs and services, including—

- (i) early childhood education programs;
- (ii) before, after, and summer school programs, expanded learning time, or weekend academies;
- (iii) career and technical education programs; and
- (iv) programs that recognize and support the unique cultural and educational needs of Native Hawaiian children, and incorporate appropriately qualified Native Hawaiian elders and seniors;

(I) activities, including program co-location, to enable Native Hawaiians to enter and complete programs of postsecondary education, including—

- (i) family literacy services; and
- (ii) counseling, guidance, and support services for students;

(J) research and data collection activities to determine the educational status and needs of Native Hawaiian children and adults;

(K) other research and evaluation activities related to programs carried out under this part; and

(L) other activities, consistent with the purposes of this part, to meet the educational needs of Native Hawaiian children and adults.

(b) ADMINISTRATIVE COSTS.—Not more than 5 percent of funds provided to a recipient of a grant or contract under subsection (a) for any fiscal year may be used for administrative purposes.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section and section 6204 \$32,397,000 for each of fiscal years 2017 through 2020.

(2) RESERVATION.—Of the funds appropriated under this subsection, the Secretary shall reserve \$500,000 for each of fiscal years 2017 through 2020 to make a direct grant to the Education Council to carry out section 6204.

(3) AVAILABILITY.—Funds appropriated under this subsection shall remain available until expended.

SEC. 6206. [20 U.S.C. 7516] ADMINISTRATIVE PROVISIONS.

(a) APPLICATION REQUIRED.—No grant may be made under this part, and no contract may be entered into under this part, unless the entity seeking the grant or contract submits an application to the Secretary at such time, in such manner, and containing such information as the Secretary may determine to be necessary to carry out the provisions of this part.

(b) SPECIAL RULE.—Each applicant for a grant or contract under this part shall submit the application for comment to the local educational agency serving students who will participate in the program to be carried out under the grant or contract, and include those comments, if any, with the application to the Secretary.

SEC. 6207. [20 U.S.C. 7517] DEFINITIONS.

In this part:

(1) COMMUNITY CONSULTATION.—The term “community consultation” means a public gathering—

- (A) to discuss Native Hawaiian education concerns; and
- (B) about which the public has been given not less than 30 days notice.

(2) NATIVE HAWAIIAN.—The term “Native Hawaiian” means any individual who is—

- (A) a citizen of the United States; and
- (B) a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii, as evidenced by—

- (i) genealogical records;
- (ii) Kupuna (elders) or Kama’aina (long-term community residents) verification; or
- (iii) certified birth records.

(3) NATIVE HAWAIIAN COMMUNITY-BASED ORGANIZATION.—The term “Native Hawaiian community-based organization” means any organization that is composed primarily of Native Hawaiians from a specific community and that assists in the social, cultural, and educational development of Native Hawaiians in that community.

(4) NATIVE HAWAIIAN EDUCATIONAL ORGANIZATION.—The term “Native Hawaiian educational organization” means a private nonprofit organization that—

- (A) serves the interests of Native Hawaiians;
- (B) has Native Hawaiians in substantive and policymaking positions within the organization;
- (C) incorporates Native Hawaiian perspective, values, language, culture, and traditions into the core function of the organization;
- (D) has demonstrated expertise in the education of Native Hawaiian youth; and
- (E) has demonstrated expertise in research and program development.

(5) NATIVE HAWAIIAN LANGUAGE.—The term “Native Hawaiian language” means the single Native American language indigenous to the original inhabitants of the State of Hawaii.

(6) NATIVE HAWAIIAN ORGANIZATION.—The term “Native Hawaiian organization” means a private nonprofit organization that—

- (A) serves the interests of Native Hawaiians;
- (B) has Native Hawaiians in substantive and policymaking positions within the organization; and

(C) is recognized by the Governor of Hawaii for the purpose of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians.

(7) OFFICE OF HAWAIIAN AFFAIRS.—The term “Office of Hawaiian Affairs” means the Office of Hawaiian Affairs established by the Constitution of the State of Hawaii.